

FEDERAL REGISTER

THE NATIONAL ARCHIVES
 LITTERA SCRIPTA MANET
 OF THE UNITED STATES
 1934

VOLUME 7 NUMBER 233

Washington, Saturday, November 28, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

PART 721—CORN

CORN ACREAGE ALLOTMENT FOR COMMERCIAL CORN-PRODUCING AREA, 1943

Whereas section 328 of the Agricultural Adjustment Act of 1938, as amended, provides in part as follows:

The acreage allotment of corn for any calendar year shall be that acreage in the commercial corn-producing area which, on the basis of the average yield for corn in such area during the ten calendar years immediately preceding such calendar year, adjusted for abnormal weather conditions and trends in yield, will produce an amount of corn in such area which the Secretary determines will, together with corn produced in the United States outside the commercial corn-producing area, make available a supply for the marketing year beginning in such calendar year, equal to the reserve supply level. The Secretary shall proclaim such acreage allotment not later than February 1 of the calendar year for which such acreage allotment was determined * * *

and

Whereas paragraph (c) of section 301 of said Act provides as follows:

The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this Act.

Now therefore, be it known that I, Claude R. Wickard, Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in me by the Act of Congress known as the Agricultural Adjustment Act of 1938, as amended, upon the basis of the latest available statistics of the Federal Government, do hereby ascertain, determine, and proclaim under section 328 of said Act:

§ 721.402¹ *Corn acreage allotment for the commercial corn-producing area for 1943.* That the acreage allotment of corn for the commercial corn-producing area for the calendar year 1943 shall be 43,423,000 acres. (52 Stat. 52.202)

¹ 6 F.R. 4812; 7 F.R. 1663.

Done at Washington, D. C., this 24th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-12384; Filed, November 24, 1942;
3:38 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 58—CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PURSUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

AMERICAN CITIZENS AND NATIONALS

Pursuant to the authority vested in me by section 1 of Proclamation 2523 of the President, issued on November 14, 1941 (6 F.R. 5821), under authority of section 1 of the act of Congress approved May 22, 1918 (40 Stat. 559; 22 U.S.C. 223), as amended by the act of Congress of June 21, 1941 (55 Stat. 252; 22 U.S.C. 223, Sup. I), § 58.3 (h) of the regulations, issued on December 9, 1941 (6 F.R. 6349), is hereby cancelled effective after 6 o'clock in the forenoon of December 1, 1942.

CORDELL HULL,
Secretary of State.

NOVEMBER 24, 1942.

[F. R. Doc. 42-12481; Filed, November 25, 1942;
5:30 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

[General Order 4]

WAGE ADJUSTMENTS FOR SMALL BUSINESSES

Section 803.4, General Order No. 4, is amended by adding paragraphs (a) and (b) to read as follows:

§ 803.4 *General Order No. 4.* * * *
(a) General Order No. 4, exempting employers who employ not more than

¹ 7 F.R. 8379.

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

AGRICULTURAL ADJUSTMENT AGENCY:	Page
Commercial corn producing area, 1943 acreage allotment	9859
AGRICULTURAL MARKETING ADMINISTRATION:	
Kansas City marketing area, handling of milk	9904
BITUMINOUS COAL DIVISION:	
Hearings, etc:	
Atlas Engineering Co.	9903
District Board 11	9903
Ridgway Coal Co.	9902
Shelby Coal Co., Inc. (2 documents)	9903, 9904
Twin Elm Coal Co.	9903
CIVIL AERONAUTICS BOARD:	
Hearings, etc:	
All American Aviation, Inc.	9904
Eastern Air Lines, Inc.	9904
Pan American Airways, Inc. and American Export Airlines, Inc.	9904
CUSTOMS BUREAU:	
Cordova, Alaska; revocation of designation as port of documentation	9901
FEDERAL POWER COMMISSION:	
Hearings:	
Cities Service Gas Co.	9905
Independent Natural Gas Co.	9905
INTERSTATE COMMERCE COMMISSION:	
Steam roads; condensed classification of operation expenses of small carriers	9901
Water carriers; towage of logs and piling in rafts	9902
NATIONAL WAR LABOR BOARD:	
General orders:	
Arbitrators' decisions, etc.	9861
Job classifications, new	9861
Small businesses, wage adjustments	9859
Wages of females	9861
War Department civilian employees	9860
OFFICE OF PRICE ADMINISTRATION:	
Acetic acid (RPS 31, Am. 2)	9894
Adjustments, etc:	
A and H Tire Service and Charles E. Anderson	9906
Automatic Range Co.	9906
Best Foods Inc.	9909

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

There are no restrictions on the republication of material appearing in the **FEDERAL REGISTER**.

Telephone information: DIstrict 0525.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.

Adjustments, etc.—Continued.	Page
Boggs, M. A.-----	9907
Horn Co.-----	9907
Kings Packing Co.-----	9910
Leonard & Baker Stove Co.-----	9905
Liberty Dairy Co.-----	9906
Merchants Chemical Co.-----	9893
Metals Reserve Co.-----	9911
Osher Brothers Co.-----	9910
Treasure Island Service Station.-----	9911
Tuck, J. O., & Co.-----	9901
Wilson and Toomer Fertilizer Co.-----	9910
Administrative and general orders, renumbering certain, etc. (General Order 38)-----	9909
Authority delegations:	
Clerical employees administering oaths (General Order 30)-----	9909
Licensing warning notices (General Order 27)-----	9908
Rationing functions and powers, certain (General Order 25)-----	9908
Subpoenas, signing and issuance (General Order 24)-----	9908
Sworn written statements (General Order 29)-----	9909
Automobiles, new passenger (RPS 85, Am. 7)-----	9899
Exceptions for certain services (Supp. Reg. 11, Am. 10)-----	9894
Food products, certain seasonal:	
Retail (MPR 250, Am. 1)-----	9898
Wholesale (MPR 249, Am. 1)-----	9898
Formaldehyde (RPS 21, Am. 2)-----	9894
Fruit cake (Supp. Reg. 14, Am. 56)-----	9900
Heating boiler conversion parts (Rev. MPR 236)-----	9895
Lithopone (RPS 80, Am. 4)-----	9895

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Machines and parts and machinery services (MPR 136, Am. 58)-----	9899
Motor vehicles, new commercial (Supp. Reg. 14, Am. 67)-----	9900
Silver articles (Supp. Reg. 14, Am. 68)-----	9901
Sugar (Ration Order 3, Am. 26)-----	9899
Tax on transportation of property (Supp. Order 31)-----	9894
Tires and tubes, new:	
Retail (RPS 63, Am. 6)-----	9888
Wholesale (MPR 143, Am. 2)-----	9890
Titanium pigments (RPS 98, Am. 3)-----	9895
Vanilla beans (Supp. Reg. 14, Am. 65)-----	9900
SELECTIVE SERVICE SYSTEM:	
Revision of forms:	
Conscientious objectors (2 documents)-----	9862
Local board employees, report of employment, separation or change of status-----	9863
Occupational certification-----	9862
Referral to another local board for physical examination-----	9862
STATE DEPARTMENT:	
Control of persons entering and leaving United States; American citizens and nationals-----	9859
TREASURY DEPARTMENT:	
Foreign funds control, general licenses (2 documents)-----	9862
WAR PRODUCTION BOARD:	
Dairy products or eggs, maintenance and operation of plants processing (P-118)-----	9884
Farm machinery and equipment, etc. (L-170)-----	9863
Post exchanges and ship's service departments (Pr. Reg. 17)-----	9877
Safety equipment (L-114)-----	9885
Strategic materials, imports:	
M-63-----	9878
M-63-a-----	9882
M-63-e-----	9882
Suspension order:	
Glidden Co.-----	9883
Theobromine and caffeine (M-222)-----	9887
Tungsten (M-29)-----	9883
Vacuum cleaners, domestic:	
L-18, L-18-a, revocation-----	9877
L-18-b-----	9877
Zinc (M-11-b)-----	9875
WAR SHIPPING ADMINISTRATION:	
War Forwarding Corporation, et al.; authorization of certain forwarding services-----	9911

eight individuals from the provisions of said Executive Order, shall not apply to the employment of tool and die workers.

(b) The time as of which to determine whether an employer employs "not more than eight individuals" within the meaning of General Order No. 4 is the time when the wage or salary adjustment is agreed to, or, if it is not made by agreement, the time when it is put into effect. But an employer who, during any given

year following October 3, 1942, in the case of wages, or October 27, 1942, in the case of salaries, has made adjustments affecting in the aggregate eight employees, will not, if he wishes to make any further adjustments within said year, be exempt under General Order No. 4.

(E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-12495; Filed, November 26, 1942; 12:08 p. m.]

PART 803—GENERAL ORDERS

[General Order 14]

AUTHORIZATION TO THE WAR DEPARTMENT REGARDING CERTAIN CIVILIAN EMPLOYEES

§ 803.14 *General Order No. 14.* (a) The National War Labor Board hereby delegates to the Secretary of War, to be exercised on his behalf by the Wage Administration Section within the Civilian Personnel Division, Headquarters, Services of Supply (hereinafter referred to as the "War Department Agency"), the power to rule upon all applications for wage and salary adjustments (insofar as approval thereof has been made a function of the National War Labor Board) covering civilian employees within the continental limits of the United States and Alaska, employed by (1) the War Department, (2) the Army Exchange Service, and (3) government-owned, privately-operated facilities of the War Department, all in accordance with the further provisions of this order.

(b) There shall be a standing tripartite Appeals Committee, to consist of two representatives to be appointed by the War Department Agency and two representatives each of industry and labor to be appointed by the National War Labor Board. The Committee may have such assistants as the Board may designate. The Board hereby delegates to the Appeals Committee the power to pass upon appeals from rulings by the War Department Agency under category (a) (3) above, and to perform such other duties as are hereinafter prescribed.

(c) In the performance of their respective duties the War Department Agency and the Appeals Committee shall comply with the terms of Executive Order No. 9250, dated October 3, 1942, and all general orders and policies of the National War Labor Board announced thereunder. The War Department Agency, without making an initial ruling thereon, may refer to the Board, through the Appeals Committee, for decision by the Board any case which in the opinion of the Agency presents doubtful or disputed questions of sufficient seriousness and import to warrant direct action by the Board.

(d) The War Department Agency and the Appeals Committee shall transmit to the Review and Analysis Division of the National War Labor Board copies of their respective rulings and rules of procedure as they are issued, and such additional data and reports as said Division or the

17 F.R. 7871.

Board may from time to time deem necessary.

(e) Any ruling by the War Department Agency hereunder shall be final, subject (1) to the National War Labor Board's ultimate power to review rulings on its own initiative, and (2) in cases under category (a) (3) above, to the right of any aggrieved party within a period of ten days after the issuance of the ruling, to file an appeal with the Appeals Committee.

(f) Any ruling by the Appeals Committee hereunder shall be final subject (1) to the National War Labor Board's ultimate power to review rulings on its own initiative, and (2) to the right of any aggrieved party, including the War Department, within a period of ten days after the issuance of the ruling, to petition the National War Labor Board for leave to appeal to the Board. The burden shall be upon the petitioner in such cases to show why the Board should be called upon to act.

(g) Any ruling by the War Department Agency hereunder shall be deemed to be the act of the National War Labor Board unless and until reversed or modified by the Appeals Committee or by the Board. Any such order of reversal or modification shall allow the War Department Agency a period of two weeks after (1) the time for appeal from the order of the Appeals Committee has elapsed, or (2) if the case has been appealed to the Board, from the date of the Board's order, within which to comply with the order.

(h) The term "government-owned, privately-operated facilities of the War Department shall include for the purposes of this order only those facilities (1) in which the War Department has contractual responsibility for the approval of pay roll costs, and (2) which are designated in lists furnished from time to time to the Board by the War Department Agency. The Board may at any time, upon at least seven days' notice to the War Department Agency, strike from the list any facility if the Board believes that the policies of Executive Order No. 9017² or Executive Order No. 9250 will be furthered by the Board's acting directly upon the wage and salary adjustments of such facility.

(i) Where disputes about wages or salaries arise between the private operators of said facilities and their employees, the disputes shall be referred to the War Department Agency. The Agency's rulings in such cases shall be final, subject to the same rights of appeal and review as in cases of rulings by the Agency upon applications for voluntary wage or salary adjustments. The Agency's jurisdiction over disputes shall include only those concerning wages and salaries. The National War Labor Board may in its discretion refer other disputes to the Appeals Committee for such action as the Board may specify in the particular case.

(E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-12496; Filed, November 26, 1942;
12:08 p. m.]

² 7 F.R. 237.

PART 803—GENERAL ORDERS

[General Order 15]

DECISIONS OF ARBITRATORS, ETC.

§ 803.15 *General Order No. 15* (a) Where under the provisions of a bona fide collective agreement there has been established an impartial chairman, umpire or arbitrator whose duties include the fixing of rates for new jobs, his decisions so rendered need not be submitted for approval to the National War Labor Board: *Provided*, That:

(1) The rate for each new job shall be fixed in an amount which is directly related to and in balance with the established rates of the other jobs covered by the agreement, and shall be consistent with the Board's Wage Stabilization Policy of November 6, 1942.

(2) A bi-weekly report of rates so fixed shall be transmitted to the Division of Review, Analysis and Research of the National War Labor Board together with sufficient information to establish the aforesaid relationship and balance.

(3) Such decisions shall be subject to the Board's ultimate power review but any modification or reversal thereof will not be retroactive.

(4) The establishment of such rates should not result in any substantial increase of the level of costs and shall not furnish a basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

(E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-12497; Filed, November 26, 1942;
12:09 p. m.]

PART 803—GENERAL ORDERS

[General Order 16]

WAGES OF FEMALES

§ 803.16 *General Order No. 16* (a) Adjustments which equalize the wage or salary rates paid to females with the rates paid to males for comparable quality and quantity of work on the same or similar operations, and adjustments in accordance with this policy which recognize or are based on differences in quality or quantity of work performed, may be made without approval of the National War Labor Board: *Provided*, That:

(1) Such adjustments are reported, when made, to the Division of Review, Analysis and Research of the National War Labor Board together with sufficient information to show that they are in accordance with the policy referred to above;

(2) Such adjustments shall be subject to the Board's ultimate power of review, but any modification or reversal thereof will not be retroactive;

(3) Such adjustments shall not furnish a basis either to increase price ceilings of the commodity or service in-

involved or to resist otherwise justified reductions in such price ceilings.

(E.O. 9250, 7 F.R. 7871)

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-12498; Filed, November 26, 1942;
12:09 p. m.]

PART 803—GENERAL ORDERS

[General Order 6, Interpretation 1]

NEW JOB CLASSIFICATIONS

An interpretation to § 803.6 is issued to read as follows:

§ 803.6 *General Order No. 6* * * *

INTERPRETATION No. 1

Question: Paragraph (b) of General Order No. 6 provides that unless a higher rate is approved by the Board, the rate for a new job classification shall be fixed "at a level not exceeding that which prevails for similar classifications within the area." What is the meaning of the quoted phrase? Specifically, must the rate on new jobs be fixed at not exceeding the average of the rates in the area for similar classifications, if the employer is to be free to proceed without the necessity of seeking approval by the Board of what otherwise would constitute a wage increase?

Answer: The object of paragraph (b) of General Order No. 6 was to prevent an employer, upon opening a new plant or creating new job classifications in his existing plant, from paying rates which would destabilize the rate structure in the area affected by his action. In interpreting General Order No. 6 this object should be kept in mind, and the order should be given a practical and common sense reading.

1. *The creation of a new job classification in an existing plant.* (a) Major considerations to be borne in mind in making rulings in these cases are that the rates for the new jobs should bear a direct relation to and be in balance with the existing rate structure in the plant. If comparison with other rates in these cases are that the rates for the new rates should bear the same relation to rates for similar classifications in the area as the existing rates in the plant bear to comparable rates in the area.

(b) In these cases of creating new job classifications in existing plants the local Wage and Hour offices, guided by the above considerations and with the approval of the appropriate Wage and Hour Regional Director, may make final rulings except in unusual circumstances, for example, where it is proposed to set up in an existing plant a new department of substantial size. In such exceptional cases, the application for a ruling should be transmitted by the local Wage and Hour office to the War Labor Board Regional Director and there be processed as set out below.

2. *The establishment of a new plant.* (a) Whether in a given case it would destabilize wages in the area to permit a particular employer to fix the rates for a new plant at any level up to the maximum being paid in the area, or whether he should be permitted to pay only the average, or less than the average, will depend on his traditional wage history in relation to the wages of the industry generally, or of the area if he has theretofore operated in the area, the nature of the work in which he is engaged, the rates being paid for comparable work in comparable establishments, and other pertinent factors.

(b) Applications in these cases should be transmitted, without a ruling by the local Wage and Hour office but with such informa-

¹ 7 F.R. 8981.

tion as said office may deem helpful, to the War Labor Board Regional Director. In his discretion the Regional Director may rule on the case or refer it for a ruling to a tri-partite panel. If the new plant is of substantial size and will employ a large proportion of skilled labor, the Regional Director should refer the case to a panel.

(c) It will be proper and sometimes necessary for the Regional Director or the panel to hold hearings relative to the proper level at which the applicant's rates for the new plant should be fixed. To such a hearing should be invited interested representatives of industry and labor.

3. In all cases the applicant should show the data on the basis of which the proposed rates were determined.

Question: Does the foregoing relate to salaries as well as wages?

Answer: Yes, under General Order No. 6-A. (E.O. 9250; 7 F.R. 7871)

GEORGE KIRSTEIN,
Executive Secretary.

[F. R. Doc. 42-12541; Filed, November 27, 1942;
11:23 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FOREIGN FUNDS CONTROL

NOVEMBER 25, 1942.

General License No. 37, Under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

General License No. 37 is hereby amended by deleting the final paragraph of such general license.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress, 55 Stat. 838; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941; Ex. Order 8832, July 26, 1941; Ex. Order 8963, December 9, 1941, and Ex. Order 8998, December 26, 1941; Ex. Order 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-12489; Filed, November 26, 1942;
10:49 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

FOREIGN FUNDS CONTROL

NOVEMBER 25, 1942.

General License No. 84 under Executive Order No. 8389, as amended, Executive Order No. 9193, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

§ 131.84 *General License No. 84.* A general license is hereby granted author-

izing the sending, mailing, importing or otherwise bringing into the United States, of United States Defense and War Savings Stamps and Bonds of all series and designations, and United States Treasury Notes, Tax Series A-1943, B-1943, A-1944, and B-1944, and the receiving or holding in the United States of the aforesaid securities so brought into the United States, without regard to the provisions of General Ruling No. 5, as amended.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Congress, 55 Stat. 838; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941, Ex. Order 8832, July 26, 1941, Ex. Order 8963, December 9, 1941, and Ex. Order 8998, December 26, 1941; Ex. Order 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 42-12488; Filed, November 26, 1942;
10:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 143]

SPECIAL FORM FOR CONSCIENTIOUS OBJECTOR

REVISION OF FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 47, entitled "Special Form for Conscientious Objector," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of forms on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 13, 1942.

[F. R. Doc. 42-12480; Filed, November 25, 1942;
3:36 p. m.]

[No. 144.]

OCCUPATIONAL CERTIFICATION

REVISION OF FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the president thereunder, and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 42B, entitled "Occupational Certification," effective immediately

¹ Filed as part of the original document.

upon the filing hereof with the Division of the Federal Register.¹

The foregoing revision shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

NOVEMBER 16, 1942.

[F. R. Doc. 42-12491; Filed, November 26, 1942;
11:04 a. m.]

[No. 145]

CONSCIENTIOUS OBJECTOR REPORT

REVISION OF FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 48, entitled "Conscientious Objector Report," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The existing DSS Forms 48 now on hand and other forms corrected by overprinting will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 1, 1942.

[F. R. Doc. 42-12492; Filed, November 26, 1942;
11:04 a. m.]

[No. 146]

REFERRAL OF REGISTRANT TO ANOTHER LOCAL BOARD FOR PHYSICAL EXAMINATION

REVISION OF FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 203, entitled "Order Referring Registrant to Another Local Board for Preliminary Physical Examination Only," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of forms on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

OCTOBER 13, 1942.

[F. R. Doc. 42-12493; Filed, November 26, 1942;
11:04 a. m.]

[No. 147]

REPORT OF EMPLOYMENT, STATUS CHANGE,
ETC.

REVISION OF FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 250, entitled "Report of Employment, Separation, or Status Change for Local Board Employee," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of DSS Form 250 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 28, 1942.

[F. R. Doc. 42-12494; Filed, November 26, 1942;
11:04 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1029—FARM MACHINERY AND EQUIPMENT
AND ATTACHMENTS AND REPAIR
PARTS THEREFOR

[Limitation Order L-170 as Amended Nov.
25, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 Limitation Order L-170²—

(a) Applicability of priorities regulations.

(1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) Protection of production schedules. Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA-3.

(b) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and

equipment or of repair parts for farm machinery and equipment; *Provided*, That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding \$2,500 for the period November 1, 1942 to October 31, 1943, inclusive; and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded \$10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded \$750,000 but did not exceed \$10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed \$750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory, and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware and water well casing; but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to

an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-Lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) General restrictions on production for domestic use (including "concentration of production"). (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election; and except that, as to silos (Item 296 of said Schedule A), the base production and items permitted to be produced shall be deemed to be in terms of units rather than weight;

(ii) Manufacture, for sale in the continental United States, a total quantity

¹ Filed as part of this original document.

² 7 F. R. 8460.

of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 130% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota.

(d) General restrictions on production for export. (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-2, B-3, B-4, B-5, and B-6, attached hereto and made a part hereof, as amended from time to time, a quantity of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To Canada a quantity of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940;

(iii) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B-7) and for terri-

tories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: Provided, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

As to any portion of any such producer's export quota, as established by paragraph (d) (1) above, which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his export quota.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) Further restrictions on production—(1) Restrictions on production for specific periods. The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L-170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) Items containing iron and steel. On and after November 1, 1942, no producer shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purpose) to make any of the following items of farm machinery and equipment:

Barnyard stock tanks.	Grit boxes.
Bee hives.	Guide handles.
Butter churns.	Hobbles (all types).
Butter molds.	Hog troughs.
Canopies for electric brooders.	Laying nests.
Cattle stalls.	Livestock feeders.
Corn cribs.	Marking poles.
Doubletrees.	Milk stools.
Farm gates.	Nick yokes.
Grain bins.	Poultry feeders.
	Singletrees.

Stanchions.
Stock pens.
Thills.

Tongues.
Weaners.

(f) Overproduction under Order L-26. Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and/or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: Provided, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) Exceptions—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M-208 or any other applicable M or L order);

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota

under paragraph (c) (1) (iii) of Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from, the Director General for Operations,

(1) On and after November 1, 1942, no person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes and horseshoe nails) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A-9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) On and after November 1, 1942, no distributor shall:

(i) Keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels; or

(ii) During any consecutive three months period (or four months period as to distributors not located in either the Eastern or Central War Time Zones), place regular stock orders for a quantity of any item of repair parts in excess of his estimated requirements of such item for that period, taking into consideration inventory of like parts on hand. The restrictions of this paragraph (i) (ii) shall not apply to emergency orders for any item of repair parts to be used in the current three (or four) months period: *Provided*, That the distributor shall file with his order to the producer for any such emergency item a certificate in substantially the following form:

CERTIFICATE FOR EMERGENCY ORDER

I hereby certify that the repair part(s) specified in the attached order is(are) essential for the emergency repair of farm machinery and equipment.

(Signed) _____

Firm, partnership, or corporation

By: _____

Title of individual

Address of firm, partnership, or corporation

A copy of each such certificate shall be retained by the distributor as a part of his records.

(2) On and after November 1, 1942, any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured by the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

No materials shall be used which are prohibited by M-Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

(k) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(l) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD-629.

(3) Each producer shall file by the 10th day of each month a report on Form PD-630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD-387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B-1, B-2, B-3, B-4, B-5, B-6, and B-7).

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Branch, Washington, D. C. Ref.: L-170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L-26, and Supplementary Limitation Orders L-26-a and L-26-d, and all amendments thereto and appeals granted thereunder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A¹

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

Quotas for repair parts are expressed as a percentage of the average dollar value of all repair parts sold during the years 1940 and 1941. Quotas for new machinery and equipment including attachments are expressed as a percentage

¹ As amended November 25, 1942.

of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular

bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L-170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)	Percent	Percent	Percent
1	One row, one horse corn planters.....	0	0	44
2	One row, one horse corn and cotton planters.....	0	0	25
3	One row, two horse corn and cotton planters.....	0	0	0
4	Two row, corn planters.....	3	75	75
5	Two row, corn and cotton planters.....	0	19	75
6	Three row and over, corn planters.....	11	75	75
7	Three row and over, corn and cotton planters.....	0	0	0
	DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8	One row, corn planters.....	15	15	15
9	One row, corn and cotton planters.....			
10	Two row, corn planters.....			
11	Two row, corn and cotton planters.....			
12	Three row and over, corn planters.....			
13	Three row and over, corn and cotton planters.....			
	DIVISION 3: POTATO PLANTERS			
14	Horse or tractor drawn.....	0	16	75
	DIVISION 4: TRANSPLANTERS			
15	Horse or tractor drawn.....	0	0	34
16	Hand.....			
	DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17	One row.....	8	75	75
18	Two row.....			
19	Three row and over.....			
	DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20	One row.....	12	12	12
21	Two row.....			
22	Three row and over.....			
	DIVISION 7: BEET DRILLS			
23	Horse or tractor drawn.....	13	75	75
	DIVISION 8: GRAIN DRILL			
24	One horse, 3 or 5 disc drills.....	0	0	22
25	Fertilizer drills, horse or tractor drawn.....	3	75	75
26	Plain drills, horse or tractor drawn.....			
	DIVISION 9: BROADCAST SEEDERS			
27	Wheeled, horse or tractor.....	0	0	0
28	Endgate.....	0	32	75
29	Hand, wheelbarrow and other.....	0	0	8
	DIVISION 10: GARDEN PLANTERS			
30	Hand.....	0	0	14
31	Horse or tractor drawn.....	0	0	15
	DIVISION 11: FERTILIZER DISTRIBUTORS			
32	Horse or tractor drawn.....	0	0	15
	DIVISION 12: LIME SPREADERS (SOWERS)			
33	Wheeled type horse or tractor drawn.....	0	0	17
34	Endgate type.....	0	0	8
35	Truck body type.....	0	0	8
	DIVISION 13: MANURE SPREADERS			
36	Four wheeled, horse or tractor drawn.....	0	19	75
37	Two wheeled, tractor drawn.....			
	DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY			
	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)			
38	.....	0	0	9
39	.....	0	0	9
40	.....	0	0	9
	DIVISION 15: ATTACHMENTS			
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOW AND LISTERS

Item		Class of producer		
		"A"	"B"	"C"
DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)		Percent	Percent	Percent
42	Walking, one horse, steel bottom.....	0	0	11
43	Walking, one horse, chilled bottom.....	0	0	12
44	Walking, two horse and larger.....	0	0	28
45	Sulky.....	0	0	0
46	Gang, two bottom and larger.....	0	0	
DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)				
47	One bottom, tractor drawn.....	9	75	75
48	Two bottom, tractor drawn.....			
49	Three bottom, tractor drawn.....			
50	Four bottom, tractor drawn.....			
51	Five bottom, and larger, tractor drawn.....	0	0	0
52	One bottom, tractor mounted.....	13	13	13
53	Two bottom, tractor mounted.....			
DIVISION 3: DISC PLOWS (HORSE DRAWN)				
54	Single disc and larger.....	0	0	0
DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)				
55	One disc, tractor drawn.....	0	0	17
56	Two disc, tractor drawn.....			
57	Three disc, tractor drawn.....			
58	One disc, tractor mounted.....			
59	Two disc, tractor mounted.....	8	8	8
60	Four disc, tractor drawn.....	0	0	0
61	Five disc, tractor drawn.....			
62	Six disc and larger, tractor drawn.....			
DIVISION 5: ONE WAY DISC PLOWS OR TILLERS				
63	One-way plows.....	0	5	75
DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN) (Middlebusters without planting attach.)				
64	One row, horse or tractor drawn.....	0	0	19
65	Two row, horse or tractor drawn.....			
66	Three row and larger horse or tractor drawn.....			
DIVISION 7: LISTERS (TRACTOR MOUNTED) (Middlebusters without planting attach.)				
67	One row, tractor mounted.....	18	18	18
68	Two row, tractor mounted.....			
69	Three row and larger, tractor mounted.....			
DIVISION 8: SUBSOIL PLOWS				
70	Horse drawn.....	0	0	0
71	Tractor drawn.....	0	0	0
72	Tractor mounted.....	0	0	0
DIVISION 9: PLOW STOCKS				
73	Single or double stocks.....	0	0	12
DIVISION 10: OTHER PLOWS AND LISTERS (List each item separately)				
74	.....	0	0	34
75	.....	0	0	34
76	.....	0	0	34
DIVISION 11: ATTACHMENTS				
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

DIVISION 1: HARROWS				
78	Spike tooth harrow sections, horse or tractor drawn.....	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn.....	0	34	75
80	Disc harrows, horse or tractor drawn.....	2	75	75
81	Disc harrows, tractor mounted.....	22	22	22
DIVISION 2: SMOOTH LAND ROLLERS				
82	Smooth land rollers, not including lawn rollers.....	0	0	0
DIVISION 3: SOIL PULVERIZERS AND PACKERS				
83	Soil pulverizers and packers.....	0	0	19
DIVISION 4: STALK CUTTERS				
84	Stalk cutters.....	0	0	35
DIVISION 5: RIDGE BUSTERS				
85	Ridge busters, horse or tractor drawn.....	0	0	14
86	Ridge busters, tractor mounted.....			

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 6: OTHER HARROW AND ROLLERS			
	(List each item separately)	Percent	Percent	Percent
87	-----	0	0	14
88	-----	0	0	14
89	-----	0	0	14
	DIVISION 7: ATTACHMENTS			
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)				
91	One horse, all types.....	0	0	15
92	One row, walking, two horse.....	0	0	65
93	One row, riding, two horse.....	2	75	75
94	Two row and over, riding.....	0	0	0
95	Beet cultivator.....	12	75	75
96	Field cultivator.....	0	0	62
97	Hand cultivator, not including blade and tined hoes, rakes and similar equipment.....	0	0	15
DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)				
98	One row.....	20	20	20
99	Two row.....			
100	Three and four row.....			
101	Five row and over.....			
DIVISION 3: ROTARY HOES				
102	Rotary hoes, horse or tractor drawn.....	0	0	32
DIVISION 4: WEEDERS				
103	Rod weeders, horse or tractor drawn.....	0	0	30
104	Tooth weeders, horse or tractor drawn.....	0	0	32
DIVISION 5: OTHER CULTIVATORS AND WEEDERS				
(List each item separately)				
105	.....	0	0	34
106	.....	0	0	34
DIVISION 6: ATTACHMENTS				
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

DIVISION 1: POWER SPRAYERS				
108	Power sprayers.....	0	0	43
109	Traction sprayers.....	0	0	21
DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)				
110	Compressed air.....	0	0	0
111	Knapsack, self contained.....			
112	Trombone, pump type.....			
113	Bucket pump type, single cylinder.....			
114	Bucket pump type, double cylinder.....			
115	Atomizing, single action (1 qt. and larger cap.).....			
116	Atomizing, continuous (1 qt. and larger cap.).....			
DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)				
117	Barrel pump type with complete equipment.....	0	0	30
118	Wheelbarrow type with complete equipment.....			
119	Spray pumps, power.....	0	0	23
DIVISION 5: WEED AND PEAR BURNERS				
120	Weed and pear burners.....	0	0	23
DIVISION 6: DUSTERS				
121	Power dusters.....	0	0	19
122	Traction dusters.....	0	0	23
123	Hand dusters (agricultural only).....	0	0	66
DIVISION 7: ORCHARD HEATERS				
124	Orchard heaters.....	0	0	11
DIVISION 8: ATTACHMENTS				
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 6: HARVESTING MACHINERY

Item		Class of producer		
		"A"	"B"	"C"
DIVISION 1: COMBINES (HARVESTER-THRESHERS)				
126	Width of cut, 6 feet and under.....	Percent 24	Percent 24	Percent 24
127	Width of cut, over 6 feet including 10 feet.....			
128	Width of cut, over 10 feet.....			
NOTE. Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items.				
DIVISION 2: GRAIN AND RICE BINDERS				
129	Grain binders (ground drive).....	9	75	75
130	Grain binders (power take-off drive).....			
131	Rice binders.....			
DIVISION 3: CORN BINDERS				
132	Corn binders (row binder) horse or tractor drawn.....	13	75	75
DIVISION 4: CORN PICKERS				
133	One row, mounted type.....	33	33	33
134	Two row, mounted type.....			
135	One row, pull type.....	0	71	75
136	Two row, pull type.....			
DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)				
137	Field ensilage harvesters, row type.....	14	75	75
DIVISION 6: POTATO DIGGERS				
138	Walking plow type.....	0	0	28
139	Horse or tractor.....	0	0	42
DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)				
140	Horse or tractor, row type.....	0	0	32
DIVISION 8: BEET LIFTERS				
141	Horse or tractor.....	16	75	75
DIVISION 9: OTHER HARVESTING MACHINERY				
Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)				
142	.....	0	0	51
143	.....	0	0	51
144	.....	0	0	51
DIVISION 10: ATTACHMENTS				
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 7: HAYING MACHINERY

DIVISION 1: MOWERS (GROUND-DRIVE)				
146	Horse or tractor drawn (ground drive).....	8	75	75
DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)				
147	Tractor mtd. or semi-mtd. (power take-off drive).....	28	28	28
DIVISION 3: RAKES				
148	Sulky, dump.....	9	75	75
149	Side delivery, incl. comb. side rakes and tedders.....	17	75	75
150	Sweep.....	0	0	47
DIVISION 4: HAY LOADERS				
151	Hay loaders.....	9	75	75
DIVISION 5: STACKERS				
152	Stackers (incl. comb. sweep stackers).....	0	0	19
DIVISION 6: PICK-UP BALERS				
153	Pick-up hay balers.....	0	45	75
DIVISION 7: OTHER HAYING MACHINERY				
Other haying machinery, including, but not limited to, field bale loaders, field hay choppers. (List each item separately):				
154	.....	0	0	41
155	.....	0	0	41
156	.....	0	0	41
DIVISION 8: ATTACHMENTS				
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

FEDERAL REGISTER, Saturday, November 28, 1942

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)	Percent	Percent	Percent
158	Threshers, width of cylinder under 28 inches.....	0	0	48
159	Threshers, width of cylinder 28 inches and over.....			
	DIVISION 2: STATIONARY PEA AND BEAN THRESHERS			
160	Stationary pea and bean threshers.....	0	0	25
	DIVISION 3: PEANUT PICKERS			
161	Peanut pickers.....	0	0	75
	DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers).....	0	0	65
	DIVISION 5: FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power.....	0	0	30
	DIVISION 6: CORN SHELLERS			
164	Corn shellers, hand.....	0	0	19
165	Power corn shellers, spring (2, 4, 6 and 8 hole).....	0	0	0
166	Power corn shellers, cylinder (150 bu. & under).....	0	0	22
167	Power corn shellers, cylinder (over 150 bu.).....	0	75	75
	DIVISION 7: CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders.....	0	0	23
169	Corn huskers.....	0	0	23
170	Corn shredders.....	0	0	23
	DIVISION 8: STATIONARY HAY BALERS			
171	Horse.....	0	0	0
172	Engine or belt power.....	0	0	75
	DIVISION 9: FEED GRINDERS AND CRUSHERS			
173	Hand.....	0	0	13
174	Power, burr type.....	0	0	51
175	Hammer and roughage mills.....	0	8	75
	DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain).....	0	0	12
	DIVISION 11: POTATO SORTERS AND GRADERS			
177	Potato sorters and graders.....	0	0	23
	DIVISION 12: MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnace.....	0	0	53
179	Furnaces.....	0	0	20
	DIVISION 13: CANE SIRUP EVAPORATORS			
180	Complete sets of pans, not including furnaces.....	0	0	53
181	Furnaces.....	0	0	20
	DIVISION 14: CANE MILLS (FARM SIZE)			
182	Cane Mills (farm size).....	0	0	32
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses.....	0	0	12
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders sorters, washers and sackers. (List each item separately.)			
184		0	0	13
185		0	0	13
186		0	0	13
	DIVISION 17: ATTACHMENTS			
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 9: FARM ELEVATORS AND BLOWERS

	DIVISION 1: ELEVATORS (PORTABLE)			
188	Elevators, portable.....	0	0	35
	DIVISION 2: ELEVATORS (STATIONARY)			
189	Elevators, stationary.....	0	0	21
	DIVISION 3: BLOWERS (GRAIN AND FORAGE)			
190	Blowers (grain and forage).....	0	0	35
	DIVISION 4: ATTACHMENTS			
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 10: TRACTORS

Item		Class of producer		
		"A"	"B"	"C"
DIVISION 1: TRACTORS, WHEEL TYPE				
192	Tractors, wheel, special purpose, under 30 h. p.	14	14	14
193	Tractors, wheel, special purpose, 30 & over h. p.			
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 & over h. p.			
DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)				
196	Garden tractors (including motor tillers)	0	0	27
DIVISION 3: ATTACHMENTS				
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 11: ENGINES

DIVISION 1: ENGINES (UNDER 1 H. P.)				
198	Air cooled	0	0	0
DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)				
199	Air cooled	0	2	75
200	Water cooled	4	75	75
DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)				
201	Air cooled	0	24	75
202	Water cooled	0	24	75
DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 20 H. P.)				
203	Water cooled	0	0	0
DIVISION 5: ATTACHMENTS				
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

DIVISION 1: WAGONS				
205	Wagons, farm without boxes	0	0	32
DIVISION 2: TRUCKS				
206	Trucks, farm (not motortrucks)	0	20	75
DIVISION 3: WAGON BODIES				
207	Wagon and truck boxes, farm	0	0	29
DIVISION 4: FARM SLEIGHS				
208	Sleighs and bob-sleds	0	0	25
DIVISION 5: TRAILERS (FARM)				
209	Trailers, farm	0	0	0
DIVISION 6: OTHER TRANSPORTING EQUIPMENT (Not motortrucks—list each item separately)				
210		0	0	25
211		0	0	25
DIVISION 7: ATTACHMENTS				
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEMS

DIVISION 1: DEEP WELL				
213	Deep well, reciprocal	0	0	48
214	Deep well, jet pumps	0	0	36
DIVISION 2: SHALLOW WELL				
215	250-400 gals. per hour	0	0	53
216	600 gals. per hour and over	0	0	35
DIVISION 3: POWER PUMPS				
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
DIVISION 4: WATER STORAGE TANKS				
218	Storage tanks, other than stock tanks, farm			
DIVISION 5: ATTACHMENTS				
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 14: FARM PUMPS AND WINDMILLS

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 1: PUMPS, WATER	Percent	Percent	Percent
220	Pitcher pumps.....	0	18	75
221	Hand and windmill pumps.....	0	16	75
	DIVISION 2: WINDMILLS			
222	Windmill heads.....	0	0	56
223	Windmill towers.....	0	0	59
	DIVISION 3: PUMP JACKS			
224	Pump jacks.....	0	0	30
	DIVISION 4: CYLINDERS			
225	Cylinders for sale separately.....	0	37	75
	DIVISION 5: ATTACHMENTS			
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 15: IRRIGATION EQUIPMENT

DIVISION 1: IRRIGATION PUMPS				
227	Turbine pumps, 0 to 1,200 GPM.....	0	0	31
228	Turbine pumps 1,200 GPM and up, belt driven.....	0	0	13
229	Centrifugal pumps.....	0	0	26
230	Hydraulic rams.....	0	0	0
DIVISION 2: DISTRIBUTION EQUIPMENT				
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).....	0	0	18
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds.....	0	0	18
DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT				
(List each item separately)				
233	.....	0	0	18
234	.....	0	0	18
235	.....	0	0	18
DIVISION 4: ATTACHMENTS				
236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

DIVISION 1: MILKING MACHINES				
237	Milking machines.....	0	32	75
DIVISION 2: FARM CREAM SEPARATORS				
238	Farm cream separators, capacity 250 lbs. per hr. or less.....	0	7	75
DIVISION 3: FARM CREAM SEPARATORS				
239	Farm cream separators, capacity 251 lbs. to 800 lbs. per hour.....	7	75	75
DIVISION 4: FARM CREAM SEPARATORS				
240	Farm cream separators, capacity 801 lbs. to 1500 lbs. per hour.....	0	0	0
DIVISION 5: FARM MILK COOLERS				
241	Immersion type.....	0	0	48
242	Surface or tubular type.....			
DIVISION 6: FARM BUTTER MAKING EQUIPMENT				
243	Butter churns (See Paragraph (e) (2) of L-170).....	0	0	23
244	Butter molds (See Paragraph (e) (2) of L-170).....			
DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT				
Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately.)				
245	.....	0	0	36
246	.....			
247	.....			
248	.....			
DIVISION 8: ATTACHMENTS				
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 17: BARN AND BARNYARD EQUIPMENT

Item		Class of producer		
		"A"	"B"	"C"
DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS				
		Percent	Percent	Percent
250	Feed carriers.....	0	0	25
251	Litter carriers.....	0	0	25
252	Truck for feed and litter carriers.....	0	0	71
253	Feed trucks.....	0	0	33
DIVISION 2: HAY UNLOADING EQUIPMENT				
254	Hay carriers.....	0	0	72
255	Truck for hay carriers.....	0	0	71
256	Hay forks, harpoon and grapple.....	0	0	35
257	Pulleys and fittings.....	0	0	71
DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT				
258	Cattle stalls and fittings (See Paragraph (e) (2) of L-170).....	0	8	75
259	Livestock pens (See Paragraph (e) (2) of L-170).....	0	27	75
DIVISION 4: CATTLE STANCHIONS				
260	Cattle stanchions and fittings (See Paragraph (e) (2) of L-170).....	0	0	50
DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS				
261	Livestock drinking cups.....	0	0	49
262	Outside livestock watering bowls.....	0	0	16
DIVISION 6: BARNYARD STOCK TANKS AND HOG TROUGHS				
263	Barnyard stock tanks (See Paragraph (e) (2) of L-170).....	0	0	49
264	Hog troughs (See Paragraph (e) (2) of L-170).....	0	0	58
DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS				
265	Livestock feeders (See Paragraph (e) (2) of L-170).....	0	0	45
266	Feed cookers.....	0	0	15
267	Tank heaters.....	0	0	37
DIVISION 8: BARN DOOR TRACK AND HANGERS				
268	Barn door track.....	0	9	75
269	Barn door hangers.....			
DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT				
Including but not limited to ventilating equipment, livestock dipping tanks, hog washers, dairy scales, cattle and horse clippers, and bull staffs. (List each item separately.)				
270	.....	0	0	22
271	.....			
272	.....			
DIVISION 10: ATTACHMENTS				
273	Attachments for all items in group 17 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

DIVISION 1: INCUBATORS				
274	Incubators, 1,000-egg capacity and smaller.....	0	0	31
275	Incubators, over 1,000-egg capacity.....	0	0	36
DIVISION 2: FLOOR BROODERS				
276	Oil.....	0	8	75
277	Coal.....	0	21	75
278	Gas.....	0	0	40
279	Wood.....	0	21	75
280	Electric.....	0	0	72
DIVISION 3: BATTERY BROODERS (HEATED)				
281	Three deck and smaller (heated).....	0	0	26
282	Four deck (heated).....			
283	Five deck (heated).....			
DIVISION 4: GROWING AND LAYING BATTERIES				
284	Growing.....	0	0	21
285	Laying.....	0	0	0
DIVISION 5: POULTRY FEEDERS				
286	Poultry feeders (see par. (e) (2) of L-170).....	0	0	36
DIVISION 6: POULTRY WATERERS				
287	Poultry waterers.....	0	0	53
DIVISION 7: LAYING NESTS AND GRIT BOXES				
288	Laying nests (see par. (e) (2) of L-170).....	0	0	38
289	Grit boxes (see par. (e) (2) of L-170).....			

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item		Class of producer		
		"A"	"B"	"C"
	DIVISION 8: OTHER FARM POULTRY EQUIPMENT			
	Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately).			
290		0	0	18
291				
292				
	DIVISION 9: ATTACHMENTS			
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

	DIVISION 1: BEEKEEPERS' SUPPLIES			
294	Beekeepers' supplies (except bee hives).	0	0	38
295	Bee hives. (See paragraph (c) (2) of L-170).	0	0	57
	DIVISION 2: SILOS			
296	Silos (in terms of units).	0	0	12
	DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	Horse shoes (including mule shoes). (NOTE.—Calks and nails are considered as repairs.)	0	45	75
	DIVISION 4: HARNESS HARDWARE			
298	Harness hardware.	31	31	31
	DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	Power sheep shearing machines.	100	100	100
	DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	Electric fence controllers.	0	0	46
301	Electric fence accessories.			
	DIVISION 7: FARM HAND TOOLS, INCLUDING BUT NOT LIMITED TO HOES, RAKES, FORKS, SCYTHES, SHOVELS			
302		43	43	43
303				
304				
305				
306				
307				
308				
	DIVISION 8: FARM WOOD-SAWING MACHINES			
309	Farm wood-sawing machines.	0	0	16
	DIVISION 9: FARM GATES			
310	Farm gates (See paragraph (c) (2) of L-170).	0	0	40
	DIVISION 10: FARM LIGHTING PLANTS			
311	Farm lighting plants.	0	0	0
	DIVISION 11: ATTACHMENTS			
312	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds. ¹	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of one half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain Scotland
Northern Ireland Wales

Schedule B-2

Quota Percentage=118%

Australia	Belgian Congo
Union of South Africa	Madagascar
Egypt	French Cameroun
British India	Ethiopia
Palestine	Syria
Liberia	Gozo
Iran	Ceylon
Turkey	Other British So. Africa
French Oceania	Nigeria
Free French Areas	Iraq
Thereof	China
British East Africa	Iceland
Other British West Africa	British Oceania
New Zealand	Other French Africa
No. & So. Rhodesia	Cyprus
Gold Coast	Malta
Arabia	Falkland Islands
Russia	

Schedule B-3

Quota Percentage=39%

Argentina	Haiti
Chile	Nicaragua
Dominican Republic	Peru
Guatemala	Venezuela
Mexico	Brazil
Paraguay	Costa Rica
Uruguay	Ecuador
Bolivia	Honduras
Colombia	Panama Republic
Cuba	Salvador

Schedule B-4

Quota Percentage=61%

Mozambique	Angola
Portugal	Labrador
Switzerland	French West Indies
Newfoundland	Sweden
Eire	Greenland
Spain	

Schedule B-5

Quota Percentage=34%

British Guiana	Curacao
Bermuda	British Honduras
Barbados	Bahamas
Trinidad	Other British W. Indies
Surinam	
Jamaica	

Schedule B-6

Quota Percentage=37%

Alaska	Hawaii
Virgin Islands	Puerto Rico

Schedule B-7

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

Group I—Seeding and Fertilizing Machinery:	Quota percentage
Grain Drill (Plain)	22
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25

	Quota percentage
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder.....	0
Tractor Grain Binder.....	0
Corn Binder.....	25
Combine—Reaper, Thresher.....	33
Swather.....	20
Stationary Thresher.....	0
Potato Digger.....	25
Corn Sheller.....	25
Corn Picker (150 units Mfr. designated later).....	
Other Harvesting Equipment, including Beet Lifters.....	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper.....	50
Ensilage Cutter.....	35
Hammer Mill.....	7
Grain Loader or Elevator.....	25
Group VII—Farm Power:	
Wheel Tractor.....	24
Stationary Engine.....	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears.....	60
Farm Truck.....	60
Group IX—Dairy Equipment:	
Milking Machine Complete.....	100
Cream Separator.....	84
Churn.....	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster.....	50
Sprayer Pump.....	54
Group XI—Domestic Water System:	
Well or Cistern Pump.....	50
Pump Jack.....	50
Windmill Head.....	50
Domestic Water Pressure System.....	25
Group XII—Barn and Barnyard Equipment.....	0
Group XIII—Miscellaneous Equipment:	
Incubator.....	40
Brooder (Floor Type).....	40
Wheel Barrow (Wood Only).....	53
Sheep Shearers and Animal Clippers.....	239
Attachments and Repair Parts.....	150

[F. R. Doc. 42-12468; Filed, November 25, 1942; 2:22 p. m.]

PART 937—ZINC

[Conservation Order M-11-b, as Amended Nov. 26, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of zinc for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 937.13 *Conservation Order M-11-b—(a) Prohibition on use of zinc in articles appearing on List A.* (1) Between July 24, 1942 and September 1, 1942, no person shall put into process in the manufacture of any item on List A more weight of zinc than 50% of the average monthly weight of zinc put into process by him during 1941 in the making of such item, and no person shall put into process any zinc in the making of such item unless processing thereof will be completed within such period.

(2) Effective September 1, 1942, no person shall process any zinc to make any item on List A.

(3) No person shall process any zinc to make any item on List A-1 after the governing date set forth opposite such item in column 2 of List A-1. No person

shall at any time process any zinc to make any item now or hereafter placed on List A-1 unless the item will be completed by the governing date applicable to the item.

(4) No person shall process any metal which has a protective coating or plating (other than paint) of zinc to make any item on List A and no person shall apply a protective coating or plating (other than paint) of zinc to any item on List A, unless the item on List A has a notation to the contrary; and no person shall process any metal which has a protective coating or plating (other than paint) of zinc to make any item on List A-1 after its governing date and no person shall apply a protective coating or plating (other than paint) of zinc to any item on List A-1 after its governing date, unless the item on List A-1 has a notation to the contrary.

(b) *Limitation on other uses of zinc.* (1) No person shall put into process during any calendar quarter in the manufacture of items not on Lists A or A-1 at the beginning of such quarter more than 75% of the amount by weight of zinc of prime western grade or more than 50% of the amount by weight of zinc of any other grade, respectively, put into process by him in the manufacture of such items during the corresponding calendar quarter of 1941.

(2) No person shall put into process during any calendar quarter more than 75% of the amount by weight of zinc of prime western grade or more than 50% of the amount by weight of zinc of any other grade, respectively, put into process by him during the corresponding calendar quarter of 1941 for the purpose of applying a protective coating or plating (other than paint) of zinc.

(3) No person shall put into process in the manufacture of automotive and tractor carburetors and fuel pumps for repair, maintenance and replacement purposes during the last half of the last calendar quarter of 1942 more than 25% of the amount by weight of zinc put into process by him during the entire third calendar quarter of 1942 in the manufacture of automotive and tractor carburetors and fuel pumps for repair, maintenance and replacement purposes; and no person shall put into process for such purposes during the first calendar quarter of 1943 or any subsequent calendar quarter more than 50% of the amount by weight of zinc put into process by him for such purposes during the third calendar quarter of 1942.

(c) *General exceptions.* The prohibitions and restrictions in paragraphs

(a) and (b) shall not apply to the use of zinc in any item which is being produced:

(1) Under a specific contract or subcontract covering the manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the Army or Navy of the United States or the United States Maritime Commission, the War Shipping Administration, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to promote the Defense of the United States", (Lend-Lease Act) to the extent required by specifications, including performance specifications, applicable to the contracts, subcontracts or purchase orders of these organizations.

(2) For use to comply with safety regulations issued under governmental authority which require the use of zinc to the extent employed, or

(3) For use in chemical and industrial plants to the extent that corrosive or chemical action makes the use of any other material impractical, or

(4) For use in research laboratories where and to the extent that the physical or chemical properties make the use of any other material impractical.

(5) For health supplies as defined in Preference Rating Order P-29, as the same may be amended, to the extent a preference rating of A-10 or higher is assigned under said order to deliveries of zinc for the manufacture of any such supplies, or

(6) For precision measuring, recording and control instruments, systems or equipment for use in industrial processes, or

(7) For stamping and forming dies.

(d) *Prohibitions against sales or deliveries of zinc.* No person shall after July 24, 1942, sell or deliver zinc to any person if he knows, or has reason to believe such material is to be used in violation of the terms of this order.

(e) *Limitation of inventories.* No person shall accumulate an inventory of zinc or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies in quantities in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of zinc products by this order. Any person who has an inventory in excess of a minimum practicable working inventory is prohibited from receiving additional zinc or products thereof beyond that extent necessary to maintain a minimum practicable working inventory.

(f) *Miscellaneous provisions—(1) Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(2) *Applicability of order.* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items are manufactured pursuant to a contract made prior or subsequent to July 24, 1942, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided, the use of zinc in the production of any article, the limitation of such other order shall be observed.

(3) *Violations or false statements.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(4) *Definitions.* For the purposes of this order:

(i) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust (for Sheradizing only), scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(ii) "Prime western zinc" means zinc of no higher grade than that conforming to American Society for Testing Materials specification B6-37, grade 5, and zinc dust for Sheradizing.

(iii) "Zinc of any other grade" means zinc conforming to American Society for Testing Materials specification B6-37, grades 1a, 1, 2, 3, or 4, and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(iv) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(v) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not (including, but not limited to, any trustee, receiver, assignee, or personal representative thereof).

(vi) "Item" means any article or component part thereof.

(vii) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn, spin or otherwise shape.

(viii) "Put into process" means the first change by a manufacturer in the form of material from that form in which it is received by him.

(ix) "Sheradizing" means any process which uses zinc dust or finely divided zinc as a raw material for impregnating the

surface of a ferrous material with zinc by process of cementation.

(g) *Items not controlled by order.* From and after October 2, 1942, the provisions of this order shall not apply to the processing or putting into process of zinc in the manufacture of dry cell batteries to the extent that the manufacture of such batteries is governed by General Limitation Order L-71 as amended from time to time; and from and after November 13, 1942, the provisions of this order shall not apply to the processing or putting into process of zinc printing plates to the extent that the processing and putting into process of such plates is governed by General Limitation Order M-99 as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

LIST A¹

The use of zinc in the items below and in all component parts of such items is prohibited except to the extent permitted by the foregoing Conservation Order M-11-b. Where sublistings appear under a general heading on this list, only the sublistings are to be considered as items on List A.

Automotive:

Diesel engines.
Passenger cars.
Trailers.
Trucks.

(Except mechanical or functional items other than locking devices for wheels, tires or gasoline tanks).

Art craft and furnishings:

Andirons.
Bookends.
Candlesticks.
Coat hooks.
Door chimes.
Fireplace fittings.
Mirror frames.
Picture frames.
Statues.

Bicycles and tricycles:

Bicycles, except for protective coatings on wire for spokes.
Tricycles.

Binoculars.

Beauty shop and barber shop equipment and supplies (whether for home or business uses):

Hair curlers.
Hair dryers.
Lotion dispensers.
Permanent waving machines.

Builders' supplies and hardware, except protective coatings:

Casement hardware.
Door knockers.
Down spouts.
Flashing.
Gutters.
Lock parts, except lock cylinders and sleeves.

Roofing.

Screen door and window attachments.

Builders' supplies and hardware, except protective coatings—Continued.

Siding.

Venetian blind hardware.
Weatherstripping.

Burial equipment:

Caskets.
Casket hardware.
Markers.
Vaults.

Clock & watch cases.

Cosmetics:

Cosmetic containers, compacts and lipstick holders.
Lotion dispensers.
Perfume dispensers.

Coin operated devices:

Automatic phonographs.
Gaming machines.
Vending machines.

Cameras and photographic equipment:

Cameras.
Developing machines.
Enlargers.
Printing machines.
Projectors.

Cooking appliances:

Electric stoves and ranges.
Gas-fired stoves and ranges (except items for repair or maintenance).

Clothing accessories and other accessories:

Buckles.
Buttons.
Costume jewelry.
Handbag fittings.
Slide fasteners and other clothing accessories such as hooks and eyes, eyelets, snap fasteners, and grippers (except protective coatings for hooks and eyes, snap fasteners and grippers).

Electric fans.

Electrical household appliances.

Electric motors, except for motor rotors and bearings.

Kitchen, household, restaurant & soda fountain items:

Butter chippers.
Can openers.
Coffee urns.
Coffee grinders.
Dishwashing machines, except protective coatings.
Drink mixers and shakers.

Egg slicers.

Food mixers.

Fruit juicers.

Grilles.

Ice cream cabinets.

Ice crushers.

Meat slicers.

Patent medicine dispensing machines.

Potato slicers & mashers.

Sterilizers.

Toasters.

Lamps, except protective coatings.

Laundry tags and other clothing markers.

Lawn mowers and lawn sprinklers.

Lighting fixtures, except protective coatings.

Luggage:

Fittings.

Hardware.

Metal furniture.

Musical instruments.

Novelties:

Advertising novelties.
Jewelry cases.
Letter openers.
Novelty jewelry.
Souvenirs.

Office supplies:

Box openers.
Calendar bases & holders.
Envelope openers.
Envelope sealing machines.
Gummed paper dispensing machines.
List finders.
Paper weights.
Pen bases.
Pencil sharpeners.
Stapling machines.
Stenciling devices.

¹ As Amended November 26, 1942.

Ornamental and decorative uses (whether or not the item is included in List A).
 Outboard motors, except items for repair and maintenance.
 Parking meters.
 Portable and standing lamps, except protective coatings.
 Radios and non-coin operated phonographs, except functional items for repair and maintenance.
 Refrigerators, mechanical, electric or gas (except for essential food storage, food transportation and industrial uses) except items for repair and maintenance.
 Sewing machines (except items for repair and maintenance).
 Signs:
 Advertising specialties.
 Name plates.
 Billboards.
 Merchandise displays of all kinds.
 Smokers' supplies:
 Ash trays.
 Cigar and cigarette lighters.
 Smokers' accessories.
 Soap dispensers.
 Slugs and tokens of all kinds.
 Spittoons.
 Stationary gasoline and Diesel engines (except mechanical and functional items).
 Stokers (except items for repair and maintenance).
 Toys and games.
 Vacuum cleaners and sweepers (except items for repair and maintenance).
 Washing machines (except items for repair and maintenance).

LIST A-1¹

The use of zinc in the items below and in all component parts of such items is prohibited after the governing date indicated except to the extent permitted by the foregoing Conservation Order M-11-b. Where sublistings appear under a general heading on this list, only the sublistings are to be considered as items on List A-1.

	<i>Governing date</i>
Automotive:	
Locking devices for wheels, tires or gasoline tanks.....	Nov. 30, 1942.
Truck tractors (except mechanical or functional items other than locking devices for wheels, tires or gasoline tanks).....	Nov. 30, 1942.
Barrel and drum plugs.....	Nov. 30, 1942.
Builders' supplies and hardware, except protective coatings.....	Nov. 30, 1942.
Mouldings.....	Nov. 30, 1942.
Builders' supplies and hardware:	
Grilles.....	Nov. 30, 1942.
Insulation.....	Nov. 30, 1942.
Stair treads and thresholds.....	Nov. 30, 1942.
Terrazzo strips.....	Nov. 30, 1942.
Venetian blind slats.....	Nov. 30, 1942.
Closures for glass containers.....	Oct. 10, 1942.
Metal plastering bases. See also Order L-59 and L-59-b.....	Nov. 26, 1942.
Paper and paper product dispensing machines and devices (other than gummed paper dispensing machines covered by List A).....	Nov. 30, 1942.
Portable gasoline and Diesel engines (except mechanical or functional items).....	Nov. 30, 1942.
Tractors (except mechanical or functional items other than locking devices for wheels, tires or gasoline tanks).....	Nov. 30, 1942.

[F. R. Doc. 42-12484; Filed, November 26, 1942; 10:44 a. m.]

¹ As amended November 26, 1942.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 17]

POST EXCHANGES AND SHIP'S SERVICE DEPARTMENTS

§ 944.38 *Priorities Regulation 17—(a) Definition.* For the purposes of this regulation "orders for military exchanges or service departments" means contracts or purchase orders for material to be delivered to, or for the account of, or to be physically incorporated in material or equipment to be delivered to, or for the account of, any U. S. Army or Marine Corps Post Exchange or any U. S. Navy Ship's Service Department.

(b) *Purchases constitute defense orders.* Orders for military exchanges or service departments shall be deemed to be "Defense Orders" within the meaning of § 944.1 (b) (1) of Priorities Regulation 1 (and therefore by reason of § 944.1a of Priorities Regulation 1, shall be rated A-10, unless a higher preference rating is assigned) only when such orders are endorsed as follows:

All the items on this Purchase Order are listed in Priorities-Allocation Instructions 12, with Amendments. Therefore, pursuant to terms of Priorities Regulation 17, this Order carries a preference rating A-10 without the issuance of a Preference Rating Certificate.

(c) *Applicability of military exemptions.* Whenever any rule, regulation or order of the War Production Board contains an exception or exemption for material or equipment to be delivered to, or for the account of, or for material to be physically incorporated in material or equipment to be delivered to, or for the account of, the Army or Navy of the United States, such exception or exemption shall not apply to orders for military exchanges or service departments except in cases where such orders bear the following endorsement:

(1) In the case of U. S. Army Post Exchanges:

Authorized as an Army purchase pursuant to Priorities-Allocation Instructions.

By _____
 Army Exchange Service,
 War Department.

(2) In the case of U. S. Navy Ship's Service Departments:

Authorized as a Navy Purchase pursuant to Priorities-Allocation Instructions.

By _____
 Bureau of Naval Personnel.

(3) In the case of U. S. Marine Corps Post Exchanges:

Authorized as a Marine Corps purchase within Army or Navy exception clause pursuant to Priorities-Allocation Instructions,
 By _____
 Headquarters, U. S. Marine Corps

(d) *Effect of quota provisions.* Whenever any rule, regulation or order of the War Production Board limits the amount of any material that may be received, processed, sold or delivered by any person to a percentage of previous amounts thereof received, processed, sold or delivered by him, or otherwise expressly fixes a quota for him, and contains an exception or exemption for material or equipment to be delivered to, or for the account of, the Army or Navy of the

United States, but does not expressly permit such person, in computing his quota, to exclude therefrom orders for military exchanges or service departments, such orders which are endorsed as provided in paragraph (c) hereof shall be included in such exception or exemption. Orders for military exchanges or service departments which are not endorsed at all or only endorsed as provided in paragraph (b) shall not be included in such exception or exemption and must be charged against the quota of the person filling them, but such orders need not be accepted by such person in excess of 45% of such person's quota or such other percentage as the Director General for Operations may prescribe with respect to any particular material.

(e) *Effect on other provisions.* In case any provision in any regulation or in any order of the War Production Board is inconsistent with any provision in this regulation, the provisions of this regulation shall govern unless such other provision expressly states that this regulation shall be inapplicable.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-12487; Filed, November 26, 1942; 10:45 a. m.]

PART 1012—DOMESTIC VACUUM CLEANERS

[Revocation of General Limitation Order L-18 and Supplementary General Limitation Order L-18-a]

Section 1012.1 *General Limitation Order L-18* and § 1012.2 *Supplementary General Limitation Order L-18-a* are hereby revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-12482; Filed, November 26, 1942; 10:44 a. m.]

PART 1012—DOMESTIC VACUUM CLEANERS

[Supplementary Limitation Order L-18-b, as Amended Nov. 26, 1942]

Section 1012.3 *Supplementary Limitation Order L-18-b* is hereby amended to read as follows:

§ 1012.3 *Supplementary Limitation Order L-18-b—(a) Definitions.* For the purposes of this order:

(1) "Domestic vacuum cleaner" means any vacuum cleaner designed primarily for household use.

(2) "Attachment" means any special purpose device commonly known as an

attachment which is designed for use with a domestic vacuum cleaner.

(3) "Assembly" does not include the putting together of a vacuum cleaner after delivery to a sales outlet or consumer in knockdown form pursuant to an established shipping custom, nor does it include the adding of finished parts or attachments to an otherwise finished vacuum cleaner when the placing of one or more finished parts or attachments or the size or type thereof, is determined by the use to which the ultimate consumer is to put the article.

(b) *Prohibition on production.* No person shall produce or assemble any new domestic vacuum cleaner or attachment, whether for household, commercial, institutional, governmental or any other purpose. The provisions of this paragraph shall not be deemed to prohibit the repair or rebuilding of used domestic vacuum cleaners or attachments.

(c) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(d) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Branch, Washington, D. C., Ref: L-18-b.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12483; Filed, November 26, 1942;
10:44 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63, as Amended
November 20, 1942¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if either it is afloat or on board ocean bill of lading has actually been issued with respect to it.

(b) *Restrictions on imports of materials.* (1) After the date upon which any material is first made subject to this order, no person, other than the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, and any other United States governmental department, agency or corporation, or any agent acting for such company, depart-

ment, agency, or corporation, shall, except as authorized or otherwise directed in writing by the Director General for Operations, purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any such material. No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any such material unless such bank or person has received either a copy of the authorization issued by the Director General for Operations, or, if the material is one of those on List I or List II, an affidavit stating that the material is imported under a contract made before, or in existence on, the date when such material was first made subject to the provisions of this order. The materials subject to this order are those listed upon List I, List II, and List III attached hereto, and those hereafter made subject to this order by the Director General for Operations.

(2) Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222-C, addressed to the War Production Board, Ref.: M-63, Washington, D. C.

(3) Unless otherwise directed by the Director General for Operations, this prohibition shall not prevent the importing, under the restrictions herein-after set forth, of any material on List I or List II by any person under any contract made before, or in existence on, the date when such material was first made subject to the provisions of this Order M-63.

(4) This prohibition shall apply, however, to the importing of any material on List III by any person under any contract or other arrangement whether made prior or subsequent to the date upon which such material was made subject to the order except where on such date such material was in transit to a point within continental United States.

(5) Unless otherwise directed by the Director General for Operations, the restrictions set forth in this paragraph (b) shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(c) *Restrictions on disposition of imported material on List I.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after such material has become subject to this order shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

¹This document is a restatement of Amendment 8 to M-63 which appeared in the FEDERAL REGISTER of November 24, page 9702 and reflects the order in its completed form as of November 20, 1942.

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the effective date of this order. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledges, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless: (i) Such material was imported before it became subject to this order; or

(ii) Such person neither knows nor has reason to know that such material was imported after it became subject to this order; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of imported materials on List I—(1) Transfer to Governmental agency.* Nothing contained in this order shall prohibit any person having any interest whether as owner, consignee, or otherwise in any material on List I imported after such material has become subject to this order from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by Director General for Operations.* Notwithstanding the provisions of paragraph (c), an owner of material on List I imported after such material has become subject to this order or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the Director General for Operations. Any such person may make application in

duplicate for such an authorization on Form PD-222A, which form shall be addressed to the War Production Board, Ref.: M-63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any such material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of imported material on List II or List III.* Any material on List II or List III, which is imported after such material has become subject to this order, may be sold, processed, consumed, or otherwise disposed of without restriction, subject to the provisions of paragraph (f) hereof as to reports, and subject to the provisions of Priorities Regulation No. 1 (Part 944), hereinafter mentioned, and of any general preference, conservation, or limitation order of the Director General for Operations which now or hereafter may be in effect with respect to such material.

(f) *Reports—(1) Reports of existing contracts to the War Production Board.* Promptly after any List I or List II material has become subject to this order, every person other than any United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation who has outstanding any order, contract, or other arrangement for the importing of any such material or who has heretofore acquired for import any such material which has not physically arrived at the port of entry thereof when this order becomes effective with respect thereto, shall report all relevant facts with respect to such material to the War Production Board, Ref.: M-63, Washington, D. C. Such report shall be filed in duplicate.

(2) *Reports of authorized contracts to the War Production Board.* Every person (other than any United States governmental department, agency, or corporation, or any agent acting for such department, agency, or corporation), who is authorized by the Director General for Operations under paragraph (b) hereof, to make any contract or other arrangement for the importing of any material subject to this order, shall promptly report all relevant facts with respect to any contract or other arrangement entered into pursuant to such authorization to the War Production Board, Ref.: M-63, Washington, D. C. Such report shall be filed in duplicate.

(3) *Reports to Collector of Customs.* No material which is imported after it has become subject to this order, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through

the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD-222-B in duplicate. No material on List I or List II which was imported prior to July 2, 1942, and which on July 2, 1942, was in a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States shall be withdrawn for consumption unless the person making the withdrawal shall file with the withdrawal Form PD-222-B in duplicate. Both copies of such forms shall be transmitted by the Collector of Customs to the War Production Board, Stockpile and Shipping Branch, Ref.: M-63, Washington, D. C.

(4) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after it has become subject to this order, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed be addressed to: War Production Board, Washington, D. C., Ref.: M-63.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(j) *Effective date.* This order shall take effect at 12:01 a. m. on July 2, 1942, and shall continue in effect until revoked. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued November 20, 1942.

ERNEST KANZLER,
Director General for Operations.

NOTE: Changes were made in List I, List II, and List III, effective November 23, 1942.

LIST I

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent

that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Asphalt	5394.0 5078.1 5079.1
Beef and mutton tallow—includes oleo stock	0036.6
Beef and mutton tallow (inedible)—includes oleo stock	0815.6
Brazilian pebble (quartz crystals), unmanufactured	5120.6
Brazilian pebble (quartz crystals), manufactured and semi-manufactured in blanks, slabs, bars, etc.	¹ N. S. C.
Castor beans	2231.0
Cinchona bark or other bark from which quinine may be extracted	2201.0
Cod oil	0804.0
Coir fiber	3409.0
Coir yarn	3420.0
Coir manufactures	¹ N. S. C.
Columbium ore (columbite) or concentrates	6270.3
Cottonseed oil, crude, refined	1423.1 1423.2
Divi-divi pods	232.14
Divi-divi, hemlock, and chestnut extracts	2345.0
Flax, unmanufactured (all types)	3261.0 3262.5 3262.6 3262.7 3262.8 3262.9 2233.0
Flaxseed (linseed)	¹ N. S. C.
Goose down	¹ N. S. C.
Graphite or plumbago:	
Amorphous, natural (except of Mexican origin)	5730.1
Crystalline, flake	5730.5
Crystalline, lump, chip, or dust	5730.6
Hemp (Cannabis Satiba type only) unmanufactured:	
Hackled, including "line of hemp"	¹ N. S. C.
Not hackled	¹ N. S. C.
Tow	¹ N. S. C.
Horse mane and tail hair, including switches	3694.0 3694.1 2105.0
Lac, crude, seed, button and stick	2105.0
Linseed oil, and combinations and mixtures, in chief value of such oil	2254.0
Mangrove extract	2342.0
Muru muru nut oil	¹ N. S. C.
Myrobalan fruit and extract	2304.0 2345.8
Neatsfoot oil and animal oils known as neatsfoot stock	0808.95
Oleo oil	0036.2
Peanut (ground nut) oil	1427.0
Pig and hog bristles	0917.0 0979.1 2202.0
Pyrethrum or insect flowers	2202.0
Pyrethrum or insect flowers advanced in value or condition	222.31
Quebracho extract	2344.0
Red squill	221.65
Rotenone bearing roots (cube root timbo or barbasco, derris and tuba), crude and advanced	221.28 221.30 222.36 222.37
Rubber seed	2239.5
Rubber seed oil	¹ N. S. C.
Rutile	6270.2
Sunflower oil (edible)	1421.0
Sunflower oil (denatured)	2247.0
Tantalum ore (tantalite)	6270.4

¹ N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

Material	Commerce import class No.
Tara	232.23
Tucum oil	¹ N. S. C.
Valonia beads and valonia extract	2307.0 2345.1
Wattle extract	2345.5
Whale oil (other than sperm)	0803.5
Wool grease, including degreas or brown wool grease (all grades)	0813.2 0813.3 0813.5
Zirconium ore	6270.5

LIST II

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Commerce import class No.
Aluminum scrap	6302.3
Antimony	6650.0 6651.0 6651.1 838.180 838.210
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500.0 5500.1 5501.0 5501.1 5501.9 5502.1
Babassu nuts and kernels	2239.13 2239.15
Babassu nut oil	2257.1
Balsa wood:	
Logs	4029.1
Sawed boards, planks, deals, and sawed timber	4118.0
Beryl ore or beryllium ore	6270.0
Beryllium oxide, carbonate and other beryllium salts	838.963
Cashew nut oil and shell oil	2257.2
Castor oil	226.02
Cattle, ox, and calf tail hair including switches	3696.1
Chrome ore (chromite)	6213.0
Cocunut oil	2242.5
Cohune nuts and kernels	¹ N. S. C.
Cohune nut oil	¹ N. S. C.
Copper	6401.8 6417.1 643.0 6418.3
Copper and brass scrap	6401.9 6418.1 6453.0 676.02
Copra	2232.0
Corn or maize oil (edible)	1422.0
Corundum and emery in grains, or ground, pulverized, or refined	547.01
Corundum ore	5460.0
Cotton linters, munitions, or chemical grades only (Grades 3-6 according to Department of Agriculture Classification)	¹ N. S. C.
Cotton yarns and fabrics as follows:	
English spun combed cotton yarn, single or plied, in counts of 58's and finer	¹ N. S. C.
Cotton rope for spinning mules	¹ N. S. C.
Grey tracing cloth fabric	¹ N. S. C.
Filter cloth	¹ N. S. C.
Decating apron fabric	¹ N. S. C.
Lithograph moleskin cloth	¹ N. S. C.
Printers molleton	¹ N. S. C.
Tracing cloth	3970.0

Material	Commerce import class No.
Cotton yarns and fabrics as follows—Continued.	
Typewriter ribbon fabric	¹ N. S. C.
Type HH balloon fabric	¹ N. S. C.
Type SS balloon fabric	¹ N. S. C.
Type MM airplane cloth	¹ N. S. C.
Cottonseed hull fibre	¹ N. S. C.
Glycerine, crude and refined	8290.0 8291.1 0711.4
Goat and kid skin furs	
Hides and skins:	
Cattle hides, dry and wet	0201.0 0202.0 0203.0 0203.1
Buffalo hides, dry and wet	0203.0
Kip, dry and wet	0205.0 0206.0
Calf, dry and wet	0207.0 0208.0
Cabretta skins or hair sheep	0235.0
Goat and kidskins, dry and wet	0241.0 0242.0
Shearing (includes dry and green salted skins)	0231.3
Iron and steel scrap, fit only for remanufacture	6004.0 6004.1
Istle or tampico fiber, unmanufactured	3405.0
Istle or tampico fiber manufactures (including all istle products)	¹ N. S. C.
Jute, unmanufactured	3241.0
Jute butts, unmanufactured	3242.0
Kapok	3403.0
Kyanite and sillimanite	593.95
Lead	6504.0 6505.0 6506.1 6506.5 6506.9 6507.0 6509.0
Lead, reclaimed, scrap, dross, etc.	6505.1
Loofa (Luffa) sponges	¹ N. S. C.
Magnesium, metallic and scrap	676.31
Mahogany logs	4031.0
Mahogany, rough (not further manufactured than sawed)	4202.1
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.1
Mercury-bearing ores and concentrates	¹ N. S. C.
Mercury or quicksilver (metallic)	6662.0
Meshta fiber	¹ N. S. C.
Metallic beryllium, caesium, lithium and potassium	838.870
Metallic mineral substances in crude form, not otherwise classified (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	674.19
Mica	5560.7 5560.8 5560.9 5561.0 5561.8 5561.9 5564.0 5564.2 5561.7
Mica splittings	5561.7
Nutgalls or gall nuts	2310.0
Oiticica oil	2255.6
Ouricury (uricury) nuts and kernels	2239.61 2239.62
Ouricury (uricury) oil	¹ N. S. C.
Palm nut kernels	2236.5
Palm kernel oil	2248.0
Palm oil	2243.0
Rapeseed oil, denatured and not denatured	2246.0 2253.0
Shellac (unbleached and bleached)	2107.2 2108.0

Material	Commerce import class No.	Material	Commerce import class No.	Material	Commerce import class No.
Silk:		Alfalfa seed.....	2401.0	Eggs (chicken).....	0088.1
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun.....	3799.0	Agave carpet yarns, dyed or undyed.....	¹ N. S. C.	Ergot.....	221.33
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced.....	3702.0	Argols, tartar and wine lees, and crude calcium tartrate.....	8329.0 8330.0 837.11	Fabrics woven of agave fiber.....	¹ N. S. C.
Silk waste.....	3704.0	Balsams, crude, not containing alco- hol.....	2141.0 2141.3 2141.4 2141.5 2141.9	Fatty acids and salts from animal oils.....	¹ N. S. C.
Cocoons.....	3703.0	Baskets and bags, wood, straw, etc.....	4221.0 4221.2 4221.5 4221.6 4221.9	Fatty acids, not specifically pro- vided for, derived from vege- table oils, animal or fish oils, animal fats and greases, not elsewhere specified:	
Wild silk or tussah.....	3702.1	Beeswax.....	0972.0 0972.1 0974.0 8565.0	Linseed oil.....	226.21
Silver:		Blood, dried.....	8565.0	Soybean oil.....	226.23
Ores, concentrates, and base bul- lion, valuable chiefly for silver content.....	6819.5	Bone black, bone char, and blood char.....	099.13 0911.2	Other not elsewhere specified.....	226.24
Bullion, refined.....	6819.6	Bones, crude.....	0911.3	Fatty alcohols and fatty acids sul- phated, not elsewhere specified, and salts of fatty acids sulphated, not elsewhere specified.....	226.28
Coin, foreign.....	6819.8	Bones, ground, ash, dust, meal, and flour.....	4033.0 0911.3	Fish and shellfish and their prod- ucts:	
Sweepings and scrap, including silver sulphides.....	6819.9	Boxwood (logs).....	4033.0	Alewives and other pickled or salted fish, n. s. p. f.....	0073.3-0073.9 inc.
Semiprocessed items, valuable chiefly for silver content.....	¹ N. S. C.	Brazil or cream nuts.....	1356.0	Anchovies, canned, in oil or not in oil.....	0067.0
Compounds, mixtures, and salts, valuable chiefly for silver con- tent.....	¹ N. S. C.	Broomcorn.....	1357.0	Crabs, fresh or frozen; prepared or preserved.....	0086.4 0086.5
Sperm oil, crude, refined or other- wise processed.....	0803.0 0803.1	Butter.....	2936.0	Herring, pickled or salted (all types).....	0070.0-0070.9 inc.
Talc, steatite (magnesium silicate) containing not to exceed 1½ % lime and 1½ % ferric oxide:		Cacao butter.....	1044.0	Lobsters, canned and not canned.....	0083.0
Crude and unground.....	¹ N. S. C.	Canary seed.....	1420.0	Tuna fish, fresh or frozen.....	0084.0
Ground, washed, powdered, or pulverized.....	¹ N. S. C.	Candellilla wax.....	2452.0	Turtles.....	0058.0
Tin bars, blocks, pigs, grain, granu- lated or scrap, and alloys, chief value tin.....	6551.0	Carnauba wax.....	2252.2 2251.0	Fish scrap and fish meal.....	0976.0
Tin-plate scrap.....	674.05	Carao fiber.....	4692.8	Floor coverings of grass or rice straw, not in chief value of cot- ton.....	3963.2 5301.0
Tung oil.....	2241.0	Carao yarn.....	¹ N. S. C.	Fluorspar.....	5301.1
Tungsten ore and concentrates.....	6232.0	Carpets and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.....	3660.0-367.57 inc.	Fruits:	
Urena lobata fiber.....	¹ N. S. C.	Casein or lactarene.....	0943.0	Bananas.....	1301.0
Vanadium ore.....	6260.0	Cashew nuts and kernels.....	1377.0	Grapefruit.....	1302.0
Wool (apparel, finer than 40's but not finer than 44's).....	3513.0 3514.1 3514.2 3514.3 3524.0 3525.1 3525.2 3525.3	Cassia buds, unground.....	1533.0	Grapes, fresh (other than hot- house).....	1318.5
Wool, apparel, finer than 44's (ex- cept on the skin).....	3520.0 3521.1 3521.2 3521.3 3522.0 3523.1 3523.2 3523.3 3526.0 3527.1 3527.2 3527.3 3528.0 3529.1 3529.2 3529.3 6558.2	Cassia, cassia vera, unground.....	1533.1	Limes.....	1304.0
Zinc, blocks, pigs, or slabs.....	6558.2	Cassia, cassia buds and cassia vera, ground.....	155.07	Melons.....	133.42 133.43
		Cheese.....	0045.1-0046.99 inc.	Peaches, green, ripe, or in brine.....	133.61
		Chicle, crude and refined or ad- vanced.....	2131.0 2189.3	Pears, green, ripe, or in brine.....	133.66
		China clay or Kaolin.....	5300.0	Ginger root, unground, not pre- served or candied.....	1536.1
		Cinnamon and chips of, unground.....	1526.0	Ginger root, ground, not preserved or candied.....	155.08
		Cinnamon and chips of, ground.....	155.03	Glue, except glue size and fish glue (value—under 40¢ lb.).....	0940.1
		Cocoa beans or cacao beans.....	1501.3	Goat and kid hair except Angora (mohair) and Cashmere.....	3696.2
		Coconut meat, shredded and dessi- cated, or similarly prepared.....	1379.0	Grain and grain preparations:	
		Coconuts, in the shell.....	1351.0	Barley malt.....	1080.0
		Coffee, raw or green; roasted or processed.....	1511.0 1511.1	Bran; shorts; and other wheat by- product feeds.....	1181.0
		Combinations and mixtures of ani- mal, vegetable, or mineral oils, or any of them, with or without other substances, not specifically provided for.....	226.12	Corn.....	1031.0
		Cotton linters, grades 1 and 2 (other than munitions and chemical grades).....	¹ N. S. C.	Cracked corn.....	109.18
		Cotton, raw (all staple length).....	3001.0 3003.6 3003.7 3003.8	Oats, unground and ground.....	1041.0 1041.1
		Cotton waste.....	3006.1 3006.2 3006.31 3006.33 3006.35 3006.6 323.38 323.39 985.902 985.903 985.905	Rice, broken.....	1059.2
			226.22	Rye.....	1044.0
			1190.7 1190.8	Guano.....	8504.0
				Gum arabic or senegal (Acacia gum).....	2161.0
				Gum kaday (karaya) and talka.....	2163.0
				Gum ghatti.....	¹ N. S. C.
				Gum tragacanth.....	2162.0
				Hempseed.....	2238.0
				Hempseed oil.....	226.03
				Hibiscus canabinus or ferox.....	¹ N. S. C.
				Hide cuttings, raw.....	0930.8
				Hides and skins:	
				Horse, colt, and ass.....	0211.1 0211.3 0212.1 0212.2 0212.3 0212.5 0212.6
				Raw; deer, buck, or doe.....	0293.1

LIST III

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

¹ N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

LIST III

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

¹ N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

Material	Commerce import class No.
Hides and skins—Continued.	
Sheep and lamb skins, except shearlings, cabrettas, etc.:	
Pickled skins, not split, no wool	0234.0
Pickled fleshers, split, flesh side	0234.1
Pickled skivers, split, grain side	0234.2
Slats, dry, no wool	0231.7
Other woolled, (wool on) except shearlings	0231.5
Honey	1654.8
Hydrogenated or hardened oils and fats, vegetable or animal	226.10
Ilmenite (including ilmenite sand)	6270.1
Iodine	8300.0
Iron ore	6001.0
Kola nuts	221.49
Lamb and sheep fur	0711.3
Leather	0300.1-0345.9 inc.
Lignoloe oil or Bois de Rose	228.27
Mace, unground	1540.0
Mace, ground	155.09
Mace, Bombay or wild, unground	1549.2
Mace, Bombay or wild, ground	155.10
Mandoica flour	N. S. C.
Mate	221.57
Maté, Yerba, advanced in value or condition (Paraguay tea)	177.90
Matting and articles of cocoa fiber or rattan	3963.0
Meat products:	
Beef and veal, pickled or cured	0029.0
Beef, canned, including corned beef	0028.0
Meat extracts, including fluid	0096.0
Offal, edible	0023.6
Pork, hams, shoulders, bacon, sausage, prepared, cooked, boned, canned, etc.	0030.9
Sausage casings, sheep and lamb and goat only	0034.0
Sausage casings, other	0035.5
Meats canned, n. e. s., and prepared or preserved meats, n. s. p. f. (in- clude liver paste; also include mutton)	0032.9
Milk, condensed and evaporated	0040.0
	0040.1
	0040.7
Molasses, edible and inedible	163.48-
	1640.0 inc.
Monazite sand and other thorium ore	593.30
Mungo	3553.9
Muru muru nuts and kernels	2239.63
Nitrates, Sodium and Potassium	8506.0
	8527.5
	8527.9
Nutmegs, unground	1539.0
Nutmegs, ground	155.11
Oil cake and oil cake meal, made of cottonseed, peanut, hempseed, and others (except coconut or copra, soybean, and linseed)	1114.0,
	1119.6-1119.9 inc.
Oleo stearin	0036.2
Ouricury (uricury) wax	N. S. C.
Paper base stock:	
Rags for paper stock	4691.0
Waste bagging, gunny cloth and bags	4692.0
Grasses, fibers, waste, shavings, clippings, etc.	4692.9
Plassava fiber	N. S. C.
Pigeons (all types)	N. S. C.
Pile mats and floor coverings of cocoa fiber	3960.1

¹ N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

Material	Commerce import class No.
Pile mats and floor coverings of rattan	3960.3
Pimento (allspice), unground	1543.0
Pimento (allspice), ground	155.13
Rapeseed	2237.0
Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere speci- fied, or from fatty acids thereof	226.26
Sesame oil	1428.2
	2249.0
Sesame seed	2234.0
Shoddy and wool extract	3553.8
Soap (except Castile) and soap powder	8712.3-8719.9 inc.
Soap bark seed or quillaya	221.82
Sugar, cane	161.75-161.00 inc.
Sunflower seed	2240.0
Tallow, vegetable	2250.0
Tankage	0975.0
	8509.6
Tanning materials and coloring agents:	
Annatto and annatto extracts	232.00
Mangrove bark	232.18
Quebracho wood	2305.0
Tanning extracts (other than those listed on List I)	2345.9
Wattle bark	2309.0
Tapioca, tapioca flour, and cas- sava	1228.0
Tea, not specially provided for	1521.0
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.	3963.6
Tobacco, unmanufactured	2601.0-2610.0 inc.
Tonka beans	1546.0
Tucum nuts and kernels	2239.65
	2239.66
Vanilla beans	1545.0
Vegetable ivory or tagua nuts	2911.0
Vegetable soapstock	N. S. C.
Other vegetable oil foots	N. S. C.
Vegetables:	
Beans, dried	1192.0
Chickpeas and garbanzos, dried	1200.0
Garlic	1205.0
Lentils	1199.0
Lupines	1199.1
Onions, edible	1208.1
Peas, dried and split	1197.0
	1198.0
Peppers	121.05
Wool, and related fibers:	
Alpaca, llama, and vicuna hair	3535.0-3535.4 inc.
Apparel wool, 44's or coarser	3506.0-3509.3 inc.
	3513.0-3514.3 inc.
	3524.0-3525.3 inc.
Carpet wool	3501.0-3502.3 inc.
Mohair	3530.0-3530.4 inc.
Wool nolls and wastes	3550.0-3553.7 inc.
Wool rags	3554.0

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under

paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order.

[F. R. Doc. 42-12529; Filed, November 26, 1942; 2:55 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a as Amended Nov. 26, 1942]

Section 1042.2 *Supplemental General Imports Order M-63-a*, as amended September 8, 1942 is hereby further amended to read as follows:

Pursuant to General Imports Order M-63, as amended June 2, 1942, which this order supplements, it is hereby ordered that:

§ 1042.2 *Supplemental General Imports Order M-63-a*. Until further order of the Director General for Operations, the provisions of General Imports Order M-63, as amended June 2, 1942, and thereafter, shall not apply to materials on List III of said order which are located in, and are the growth, production, or manufacture of, and are transported into the continental United States overland, by air, or by inland waterway from, Canada, Mexico, Guatemala, or El Salvador, except with respect to materials listed on Schedule A attached hereto.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Material:	Commerce import class No.
Sesame seed	2234.0

[F. R. Doc. 42-12485; Filed, November 26, 1942; 10:45 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-e]

Pursuant to General Imports Order M-63, as amended June 2, 1942, which this order supplements, it is hereby ordered that:

§ 1042.6 *Supplemental General Imports Order M-63-e*. Notwithstanding the provisions of paragraph (b) (3) of General Imports Order M-63 as amended, the prohibition set forth in paragraph (b) (1) of such order shall apply to the importing of any material listed below by any person under any contract or other arrangement, whether made prior or subsequent to October 6, 1942, except where on December 7, 1942, such material was afloat, or an on board

ocean bill of lading had actually been issued with respect to it, or it had actually been delivered to and accepted by an air carrier, for transportation to a point within the continental United States, to-wit:

List and material	Commerce import class No.
List I. Brazilian pebble (quartz crystals) unmanufactured	5120.6
Brazilian pebble (quartz crystals) manufactured and semi-manufactured, in blanks, slabs, bars, etc.	N.S.C.

*N. S. C.—No Separate Class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

This order shall take effect on December 7, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W. P. B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12486; Filed, November 26, 1942;
10:45 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-162]

GLIDDEN CO.

The Glidden Company, an Ohio corporation, with its principal office at Cleveland, Ohio, is engaged in the business of producing paints and vegetable oils.

Subsequent to April 9, 1942, without the authorization of the Director of Industry Operations or the Director General for Operations of the War Production Board, The Glidden Company began construction (as defined in Conservation Order L-41¹) of two buildings at its plant at Buena Park, California, for the storage of seed and beans, and for delinting cottonseed, respectively. The estimated cost of construction of each of these buildings was in excess of \$5,000.00 and both of said buildings constitute a single project under Conservation Order L-41. Such construction was begun in disregard of the provisions of Conservation Order L-41, with which The Glidden Company was familiar, and constituted wilful violations of that order.

After May 18, 1942, The Glidden Company accepted delivery of certain delinting machinery of a value of approximately \$12,465.00 not pursuant to an "approved order", as said term is defined in General Limitation Order L-83.² Delivery of such machinery was accepted in disregard of the provisions of General Limitation Order L-83, with which the company was familiar, and constituted wilful violations of that order.

¹ 7 F.R. 6958, 7077, 9078.

² 7 F.R. 3715, 4037, 4881, 6786.

These violations of Conservation Order L-41 and General Limitation Order L-83 have hampered and impeded the war effort of the United States by diverting scarce materials and machinery to uses prohibited by the War Production Board. In view of the foregoing facts: It is hereby ordered, That:

§ 1010.162 Suspension Order S-162.
(a) Neither The Glidden Company nor any other person shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to continue construction on either of the two buildings (one designed primarily for the storage of cottonseed and soya beans, the other designed primarily to house equipment necessary for delinting cottonseed) located at the plant of The Glidden Company at Buena Park, California, on which construction has been begun but not completed. For a period of one year from the effective date of this order no application for authorization to continue or complete construction of either of said buildings filed by The Glidden Company or any other person shall be granted.

(b) The Glidden Company shall not use for any purpose any of the delinting machinery which it acquired for installing in either of the buildings specified in paragraph (a) hereof, except as specifically authorized by the Director General for Operations: *Provided, however*, That nothing contained in this paragraph shall prohibit The Glidden Company from selling or otherwise disposing of any of such machinery in accordance with the restrictions of any applicable orders or regulations of the Director of Industry Operations or the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve The Glidden Company from any restriction, prohibition or other provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on November 30, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of November, 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12528; Filed, November 26, 1942;
2:55 p. m.]

PART 923—TUNGSTEN

[General Preference Order M-29 as Amended
Nov. 27, 1942]

Whereas, the national defense requirements have created a shortage of tungsten, as hereinafter defined, for defense, for private account, and for export and it is necessary, in the public interest and

to promote the defense of the United States, to conserve the supply and direct the distribution thereof:

Now, therefore, it is hereby ordered, That:

§ 923.3 General Preference Order M-29—(a) Definitions. For the purposes of this order:

- (1) "Tungsten" means and includes:
 - (i) Ores and concentrates, including beneficiated or treated forms, containing commercially recognized tungsten;
 - (ii) The element tungsten in pure form, in any shape into which the same may be fabricated;
 - (iii) Ferro-tungsten, tungsten metal powder and any other ferrous combination of the element tungsten in semi-manufactured or manufactured form, excluding alloy steel, high speed steel and tool steel.
 - (iv) All non-ferrous mixtures or alloys containing tungsten, prepared for any purpose requiring further processing, whether the same are manufactured by means of melting, pressing, sintering, brazing, soldering or welding, including but not limited to mixtures or alloys to be used in the production of tools and tool blanks or as hard facing materials, but not including any finished tool;
 - (v) All chemical compounds having tungsten as a recognizable and essential component;
 - (vi) All scrap or secondary material containing commercially recoverable tungsten as defined in (ii), (iii), (iv) and (v) above, excluding tungsten bearing iron and steel scrap.
- (2) "Producer" means any person who mines or otherwise produces natural materials containing recoverable quantities of tungsten.
- (3) "Processor" means any person who prepares ores, concentrates or any chemical or metallurgical forms of tungsten for any industrial use.
- (4) "Dealer" means any person who procures tungsten either by importing or from domestic sources for sale or resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes warehousemen, brokers and jobbers.

(b) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries—(1) Allocations.* Except as permitted by paragraph (c) (2) of this order, no person shall make or accept delivery of tungsten without the specific authorization of the Director General for Operations.

The Director will from time to time allocate the supply of tungsten and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses shall be made or withheld. The Director may also require any person seeking to place a purchase order for tungsten to place the same with one or more particular suppliers. Such allocations and directions will be made

primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(2) *Permissible deliveries.* Until further order or in the absence of a contrary direction by the Director General for Operations, the following transactions are permitted without specific authorization by the Director General for Operations:

(i) Tungsten in any form may be delivered by any person to the Metals Reserve Company or to any other Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U.S.C., section 606 (b)), or to any duly authorized agent of any such Corporation.

(ii) Tungsten in any form (except in the form of wire, rod, sheet or metal powder) may be delivered by any person to any person in quantities of 25 pounds or less of contained tungsten, provided that the total quantity in terms of tungsten content which any person may receive pursuant to the provisions of this subparagraph during any one calendar month, beginning with the month of July, 1942, from all sources of supply shall be limited to 25 pounds.

(iii) Tungsten ores or concentrates may be delivered by any producer, dealer or processor:

(a) To any processor for the purpose of being concentrated, further concentrated or beneficiated by the processor receiving such delivery, or

(b) To any dealer, provided that no dealer shall store or otherwise hold for more than 120 days any material acquired by him under the provisions of this subparagraph.

(d) *Reports and applications.* (1) Each processor and dealer shall file with the War Production Board on or before the 20th day of each calendar month reports on form PD-9-d, or such other form as said Board may from time to time prescribe.

(2) Any person who desires an allocation of tungsten shall apply therefor to the War Production Board not later than the 20th day of the month preceding the month in which delivery of the material is desired, on Form PD-9-c, or such other form as the War Production Board may from time to time prescribe, and shall file a copy of such application with each supplier with whom he places a purchase order for tungsten. All such applications to the War Production Board must be accompanied by reports on behalf of the applicant on form PD-9-d, or on such other form as may be prescribed for this purpose from time to time by the War Production Board. Failure by any person to file an application in the manner and on the date required by this paragraph may be construed as notice to

the Director General for Operations and to all suppliers of tungsten that such person does not desire an allocation of tungsten during the next succeeding month.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Effect upon other orders.* Nothing contained in this order shall be construed as altering or modifying any of the terms or provisions of General Imports Order M-63, as the same may be from time to time amended.

(g) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Tungsten Branch, War Production Board, Washington, D. C., Reference: M-29.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12543; Filed, November 27, 1942;
11:33 a. m.]

PART 1108—MAINTENANCE AND OPERATION OF PLANTS PROCESSING DAIRY PRODUCTS OR EGGS

[Preference Rating Order P-118, as Amended
November 27, 1942]

§ 1108.1 *Preference Rating Order P-118—(a) Definitions.* For the purposes of this order:

(1) "Processor" means any person located in the United States, its territories and possessions, engaged in processing dairy products or eggs, or any person located in the Dominion of Canada, to whom and in whose name, a copy of this order is specifically issued.

(2) "Processing dairy products" means only the primary processing operations in connection with any of the following businesses:

(i) Pasteurizing milk,
(ii) Receiving milk from other persons for cooling preparatory to reshipment for further processing,

(iii) Producing dairy products, for sale, by processing milk or cream in a plant not located on the farm where the milk was produced or by processing ice cream mix produced in the same plant or in another plant under the same ownership as the processing plant.

(3) "Processing eggs" means only the primary processing operations in con-

nection with any of the following businesses, performed in plants approved by the Agricultural Marketing Administration (or, in Canada, by the Special Products Board of Canada) for purposes of directly or indirectly supplying eggs or egg products to or for that agency or for the armed services:

(i) Candling and grading shell eggs,

(ii) Breaking, packaging, and freezing liquid eggs,

(iii) Dehydrating eggs.

(4) "Primary processing" means the operations commencing with the bringing of milk, cream, eggs, or ice cream mix (in the case provided for in paragraph (a) (2) (iii)) to a processor's plant and ending with the placing of the processed milk, dairy products, eggs or egg products in any packaging in that plant. Any special packaging required by contracts with the armed services or the Agricultural Marketing Administration shall also be considered primary processing.

(5) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind used for maintenance, repair, operation or replacement in plants processing dairy products or eggs, but shall not include any office or transportation supplies, machinery or equipment.

(6) "Maintenance" means minimum upkeep necessary to enable the processor's existing plant, machinery and equipment to be used at its maximum rate of operation permissible under any applicable orders, but shall not include the acquisition of additional machines or equipment.

(7) "Repair" means restoration of a processor's plant, machinery or equipment to sound working condition within a reasonable time after physical depreciation, wear and tear, damage, destruction of parts or the like have impaired its fitness for service but not to an extent involving major reconstruction or the acquisition of capital assets or of motors of 1-horsepower or more.

(8) "Material required for operation" means operating supplies to be consumed in the course of a processor's operations but not to be physically incorporated in the finished products nor used as packaging (except packaging staples, strapping, or stitching wire), fuel, or office supplies.

(9) "Replacement" means substitution of machinery or equipment for worn or damaged existing machinery or equipment which cannot be repaired without major reconstruction; *Provided*, That such substitution is made within a reasonable time after such condition develops; *And provided further*, That the replacement is not of greater productive capacity than the replaced machinery or equipment except to the minimum possible extent when a replacement of equivalent capacity is obsolete, unobtainable, or not obtainable within a reasonable time in relation to the processor's operating needs.

(10) "Supplier" means any person with whom a contract or purchase order has been placed for delivery of material to a processor or to another supplier.

(b) *Assignment of preference ratings.* Preference ratings are hereby assigned, subject to the restrictions and conditions of paragraphs (c) and (d) hereof:

(1) AA-2X to deliveries, to a processor, of material directly required for emergency maintenance or repair to avert spoilage of milk, dairy products, or eggs (shell, liquid, dehydrated) because of an actual breakdown or suspension of a processor's operations.

(2) AA-5 to deliveries, to a processor, of material required for repair, maintenance or operation.

(3) AA-3 to deliveries, to a processor, of material required for replacement.

(c) *Restrictions on application of ratings by processor.* (1) The processor shall not apply any preference rating assigned by (b) (1) above to deliveries of material to replace other material withdrawn from his inventory or stores for maintenance, repair, or operation.

(2) The processor shall not apply any preference rating assigned by (b) (2) above if, in view of the current rate of consumption of his inventory or stores for repair and maintenance or operation, the delivery of the material to be rated would increase his inventory or stores above the minimum permitted or provided in paragraph (e) below.

(3) The processor shall not apply any preference rating hereunder unless the material to be delivered cannot be secured when required without such rating.

(4) The processor may apply the rating only to those quantities and kinds of materials necessary to enable him to maintain his processing schedules up to the end of the calendar year 1943.

(d) *Application of preference rating.* (1) A processor or any supplier, in order to apply or extend the preference ratings assigned hereunder shall comply with Priorities Regulation No. 3, as it may be amended from time to time.

(2) If preference rating AA-2X is applied for emergency maintenance or repair, the processor must, immediately upon placing his order for such material, telegraph to the War Production Board the following with respect to such order:

(i) The name and address of the supplier,

(ii) Brief statement of what necessitated application of rating for emergency maintenance and repair,

(iii) A specific description of the material included in the order, and

(iv) The invoice cost of each item of such material.

(3) If the material is required for replacement, the processor shall not apply preference rating AA-3, unless he shall have communicated with the War Production Board, describing the material needed and the nature of the proposed replacement, and shall have received from the Director General for Operations a specific authorization to apply such rating, notwithstanding the fact that, prior to November 12, 1942, he may have been authorized to apply a lower rating under this order. Such application for authori-

zation may be made by a written statement on Form PD-414 or, in any emergency, by telegram giving substantially the information called for by said Form PD-414.

(e) *Inventory provisions.* A processor shall not accept deliveries (whether rated hereunder or not) of material for repair and maintenance or operation which will increase the inventory or stores available to the processor for such purposes to an amount greater than the minimum necessary for repair and maintenance and to sustain the current level of operations of the processor, and the ratio of such inventory and stores to current operations shall in no event exceed the ratio of average inventory to average operation for the years 1938, 1939, and 1940.

(f) *Records.* In addition to the records required to be kept under Priorities Regulation 1, a processor placing any purchase order or contract rated hereunder shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of all such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts or filed in such a manner that they can be readily segregated for such inspection.

(g) *Reports.* Each processor who applies a preference rating hereunder shall file such reports as may be required from time to time by the War Production Board; and until further notice, any processor who applies a preference rating hereunder for "emergency maintenance or repair" under paragraph (b) (1) or for "repair, maintenance or operation" under paragraph (b) (2), shall file with the War Production Board within 10 days after the end of each quarter Form PD-413. The first such report shall be filed for the full quarter ending December 31, 1942.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, Washington, D. C.—Ref.: P-118.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Revocation or amendment.* This order may be revoked or amended at any time as to any processor or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto.

No additional applications of the rating to any other deliveries shall thereafter be made by the processor or supplier affected by such revocation.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

INTERPRETATION 1

Order P-118, as amended, assigns high preference ratings to milk and cream "processors" to enable them to obtain deliveries of repair, maintenance, operating and replacement materials in sufficient time to avoid spoilage of milk or cream.

The order defines a "processor" as a person engaged in certain dairy businesses, to the extent that he is so engaged. Question has arisen as to what phases of such a processor's business may be supplied under the order. The order is interpreted as applying to only the primary processing operations and not to secondary processing or distribution operations. The line of demarcation between primary processing and secondary processing is at the point at which milk, cream, or dairy products have been made ready for delivery from the processor's original processing plant. Ratings under the order may be applied to materials related to any operations up to that point, subject to the restrictions in the order. Ratings under the order may not be applied to materials related to the operations beyond that point, such as delivery from the original plant, reprocessing or repackaging ice cream mix, cheese, butter or other dairy products in a plant other than the original plant, distribution of the finished product, or refrigeration maintained in customers' establishments.

Question has also arisen as to whether the ratings under the order may be applied to obtain automotive replacement parts. The War Production Board program for automotive replacement parts, as provided for in Limitation Order No. L-158 (Part 1297), is devised to develop a sufficient supply of such parts to meet reasonable needs without the use of preference ratings for their acquisition. Order P-118, in paragraph (d) (1) (iii) as amended, prohibits the use of its ratings to obtain material which can be secured without the use of those ratings. Therefore, such ratings may not be used to obtain automotive replacement parts. (Issued August 17, 1942.)

[F. R. Doc. 42-12545; Filed, November 27, 1942; 11:33 a. m.]

PART 1213—SAFETY EQUIPMENT

[Limitation Order L-114 as Amended Nov. 27, 1942]

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war ef-

fort, for private account and for export, of materials entering into the production of safety equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 1213.1 *General Limitation Order L-114*—(a) *Definition*. "Safety equipment" means all equipment devices, guards, shields, containers, harnesses, headgear, belts, shoes, protective clothing, protective coverings, masks, respirators, inhalators, resuscitating apparatus, measuring instruments, indicating instruments, protective creams, treads, warning signs, and all other articles, which are manufactured or used to promote safety, or to prevent or reduce accidents, injuries, occupational hazards or diseases.

(b) *Restrictions on use of scarce materials*. Except as provided in paragraph (c) below, or upon specific authorization of the Director General for Operations, no person shall incorporate in the manufacture of safety equipment, or in any component part thereof, or sell, deliver, rent, purchase, accept delivery of, or obtain any safety equipment or parts thereof, in which there is incorporated or used, any of the following materials: aluminum, asbestos cloth, chromium, copper, copper base alloys, nickel, corrosion resisting steel, alloy steel, tin, synthetic plastics, magnesium, rubber or synthetic rubber, or neoprene.

(c) *General exceptions*. Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A-10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to, or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers.

(d) *Applicability of Priorities Regulation No. 1*. This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Records*. All persons to whom this order applies shall keep and preserve for not less than two years, accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection*. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports*. All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations*. Violation of this order is a criminal offense. In addition, any person who wilfully violates any provision of this order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may be prohibited from receiving further deliveries of materials subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(i) *Appeal*. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the War Production Board setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Communications*. All reports required to be filed hereunder, or communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Branch, Industrial Safety Equipment Section, Washington, D. C. Ref.: L-114.

(k) *Effect of other orders*. With respect to the use of the materials named herein for incorporation in the products named herein, or in component parts

thereof, this order shall be subject to all other orders to conserve specific raw materials (M orders), and all orders providing for a preference rating in deliveries, or for allocation, as are now or may hereafter be in effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued November 27, 1942.

ERNEST KANZLER,

Director General for Operations.

APPENDIX A

Pursuant to the provisions of paragraph (b) of the above order, the following materials may be used to the extent indicated:

(1) Asbestos cloth in protective clothing, for industrial operations involving intense heat or handling of hot objects, or for fire-fighting.

(2) Copper or copper base alloys when essential to the proper functioning of:

(a) Eyelets, rivets, and fasteners worn on the person and required to be non-corrosive or non-sparking.

(b) Frames, side screen binders and temples for spectacle type goggles.

(c) Lens extension rings for hot workers' goggles.

(d) Valves, unions, ferrules, tubing, connections, housings, non-sparking fittings, fastenings, gaskets, pins, probe tubes, orifices, regulators and bearings, for respirators, gas masks or hazard measuring devices through which explosive, toxic, or corrosive gases, dusts or fumes may pass.

(e) Valves, tubing, manifolds, chambers, gaskets, discs, breaker valves, unions, connections, mouthpieces, orifices and facepiece parts on safety equipment through which oxygen or air under pressure is conducted.

(f) Conductors of electricity for safety devices and appliances.

(g) Lens retaining rings and fittings on gas mask facepieces.

(h) Exhalation and inhalation valve inserts and angle tubes for gas masks, air line respirator and breathing apparatus, face and mouth pieces.

(i) Screen in safety canisters to be used as flame arrestors.

(j) Tubing and valves in safety canisters.

(k) Tubing and fittings in hazard measuring devices.

(l) Screen for mask type goggles or hoods but not including side screens on spectacle type or molded goggles.

(m) Bridge clips for molded goggles.

(n) Cylinders, valves, tubing and regulators for compressed air, mechanical guarding devices.

(3) Nickel in:

(a) Nickel silver for pad inserts for nose pads on spectacle type goggles, but not to exceed 20% in such alloy.

(b) Nickel silver for the following, but not to exceed 10% nickel in such alloy:

(i) Valve inserts for respirators.

(ii) Reducing, admission, dilution, check and safety valve pins, stems, plungers, inserts, screws, spiders, sleeves, yokes and bearings on gas masks, breathing apparatus, or hazard measuring devices.

(c) Leaded nickel silver for goggle frame screws and rivets, but not to exceed 18% nickel in such alloy.

(d) Nickel plating for spectacle type goggles until, but not after, May 31, 1943.

(e) Nickel silver for end pieces and guard arms on spectacle type goggles, but not to exceed 10% nickel in such alloy.

(4) Alloy steel in oxygen cylinders for breathing apparatus and inhalators, for which NE 8124 or 8233 steel may be applied.

(5) Tin in solder up to 30% by weight.

(6) Synthetic plastics in:

(a) Protective hats and caps.

(b) Face shields.

(c) Goggle frames.

(d) Lenses and laminated glass.

(e) Respirator and gas mask parts.

(f) Mounting panels, rheostats, connections, plugs, and insulation in cases, for hazard measuring devices when necessary for efficient operation.

(7) Rubber as permitted under Supplementary Order M-15-b, as amended from time to time.

(8) Synthetic rubber on specific authorization of the Director General for Operations.

INTERPRETATION 1

"Measuring instruments" and "indicating instruments", as used in paragraph (a) of Limitation Order No. L-114, refer to instruments manufactured or used to promote safety, or to prevent or reduce accidents, injuries, occupational hazards, or diseases. Typical measuring and indicating instruments of the kinds contemplated, are used to detect gases or dangerous substances, the unknown presence of which might lead to explosions or other hazards. "Measuring instruments" and "indicating instruments" which are "industrial instruments" as defined in Limitation Order No. L-134, are not "safety equipment". (Issued September 25, 1942.)

[F. R. Doc. 42-12542; Filed, November 27, 1942; 11:33 a. m.]

PART 3068—THEOBROMINE AND CAFFEINE

[Conservation Order M-222 as Amended
Nov. 27, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supplies of theobromine and caffeine for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3068.1 General Conservation Order M-222—(a) Definitions. For the purposes of this order:

(1) "Theobromine" means 3:7-dimethylxanthine, whether synthetic or natural, in crude or refined form. The term shall include any compound of the-

bromine including, but not limited to, theobromine sodium-acetate and theobromine with sodium salicylate, but shall not include standard dosage forms (tablets, capsules, ampules, solutions, etc.).

(2) "Caffeine" means 1:3:7-trimethylxanthine, whether synthetic or natural, in crude or refined form. The term shall include any compound of caffeine including, but not limited to, caffeine citrated, caffeine with sodium benzoate and caffeine with sodium salicylate, but shall not include standard dosage forms (tablets, capsules, ampules, solutions, etc.).

(3) "Producer" means any person engaged in the production or refining of theobromine or caffeine, as defined above, and includes any person who imports theobromine or caffeine or has theobromine or caffeine produced or refined for him pursuant to toll agreement.

(4) "Retailer" means any person who purchases theobromine or caffeine solely for the purpose of resale directly to the ultimate consumer for medicinal use.

(5) "Wholesaler" means any person who purchases theobromine or caffeine solely for the purpose of resale directly to retailers without further processing and without changing the form thereof.

(6) "Distributor" means any person (other than a wholesaler or retailer) who purchases theobromine or caffeine from a producer solely for the purpose of resale without further processing and without changing the form thereof.

(b) Restrictions on use and delivery of theobromine and caffeine. (1) On and after October 1, 1942, no producer shall use any theobromine or caffeine other than stocks in his hands on said date, no producer or distributor shall deliver any theobromine or caffeine, and no person (other than a wholesaler or retailer) shall accept delivery of any theobromine or caffeine except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d) of this order or except as provided in paragraph (c) of this order.

(2) Each person who shall accept delivery of theobromine or caffeine pursuant to specific authorization of the Director General for Operations shall use such theobromine or caffeine in accordance with the representations made by him in his application for such authorization.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use and delivery of theobromine or caffeine by such person.

(c) Exception. Specific authorization pursuant to paragraph (b) (1) of this

order shall not be required with respect to the delivery to any person or the acceptance of delivery or use by any person of two pounds or less of theobromine and two pounds or less of caffeine during any one calendar month. Such use or delivery may be made without regard to preference ratings.

(d) Applications and reports. (1) Each person seeking authorization, as required by paragraph (b) (1) of this order, to accept delivery of and use theobromine or caffeine during any calendar month shall place his purchase order with his supplier on or before the 15th day of the month preceding the month for which authorization to accept delivery is requested, and shall file three copies of Form PD-600 with the War Production Board on or before such date. (Copies of this form may be obtained at the local field offices of the War Production Board.) He shall also send one copy of such form to his supplier with his purchase order. Any producer seeking authorization to use theobromine or caffeine during any calendar month shall file three copies of Form PD-600 with the War Production Board on or before such date. Each person, including a producer, filing Form PD-600 as required by this paragraph (d) (1) shall prepare such form in the manner prescribed therein, subject to the following instructions:

(i) Heading. Specify either "theobromine" or "caffeine" in heading, using separate set of forms for each. Specify WPB Order No. "M-222". As unit of measure, specify "pounds". A separate set of forms must be filed for each supplier with whom a purchase order is placed.

(ii) Column 1, grade. Specify the quality; for example, crude; refined; caffeine USP; caffeine alkaloid anhydrous; caffeine citrated USP; caffeine with sodium benzoate USP; theobromine sodium-acetate USP; etc.

(iii) Columns 3, 20 and 22, primary products. Purchasers must specify the exact product or products to be produced in which the theobromine or caffeine will be used or incorporated. Distributors purchasing for resale will specify "resale".

(iv) Column 4, product use. Specify in each case (including case where your purchase is for "resale", as indicated in Columns 3, 20 and 22) the ultimate use to be made of product; for example, "medicinal" and "beverage". If there is more than one ultimate use of product, specify approximate percentage of total within each class of use.

(2) Each producer and each distributor seeking authorization, as required by paragraph (b)(1) of this order, to make deliveries of theobromine or caffeine shall file with the War Production Board on or before September 20, 1942, and on or before the 20th day of each month thereafter three copies of Form PD-601 (copies of this form may be obtained at the local offices of the War Production Board) prepared in the manner prescribed therein, subject to the following specific instructions:

(i) Heading: Specify either "theobromine" or "caffeine" in heading, using separate set of forms for each. Specify WPB Order No. "M-222". As unit of measure, specify "pounds". A separate set of forms must be filed for each plant or warehouse. Check whether producer or distributor.

(ii) Columns 3 and 8, grade: Specify the quality, for example: crude; refined; caffeine USP; caffeine alkaloid anhydrous; caffeine citrated USP; caffeine with sodium benzoate USP; theobromine sodium-acetate USP; etc.

(3) The Director General for Operations may issue additional instructions from time to time concerning the preparation and filing of Forms PD-600 and PD-601.

(4) All persons affected by this order shall file such other reports as may be required from time to time by the War Production Board.

(e) Production of theobromine and caffeine. Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of theobromine and caffeine.

(f) Restrictions on methylation of theobromine. (1) Unless otherwise authorized or directed by the Director General for Operations, no producer shall hereafter methylate theobromine to caffeine except (i) to fill purchase orders for caffeine which he has been specifically authorized to fill pursuant to paragraph (b)(1) of this order, and/or (ii) to maintain a practicable minimum working inventory of caffeine.

(2) No producer shall, during any calendar month, methylate any theobromine to caffeine unless and until provision has been made by such producer to make all deliveries of theobromine which have been directed by the Director General for Operations to be made by him during such month.

(g) Notification of customers. Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from the obligation of complying with the terms of this order.

(h) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(i) Intra-company deliveries. The prohibitions and restrictions of this order with respect to deliveries of theobromine or caffeine shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(j) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) Communications to War Production Board. All reports and applications required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-222.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12544; Filed, November 27, 1942; 11:33 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 63, Amendment 6]

RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1315.104 is amended; the text of § 1315.108 is designated paragraph (a), the existing paragraphs (a) to (g) are redesignated subparagraphs (1) to (7) respectively, a new subparagraph (8) is added to such redesignated paragraph (a), and a new paragraph (b) is added;

Paragraphs (b) and (e) (1) in § 1315.110 are amended by inserting in each table a new line in the appropriate place for the manufacturers' names to appear in alphabetical order; paragraph (d) in § 1315.110 is amended by inserting in the table three new lines in the appropriate places for the manufacturers' names to appear in alphabetical order; paragraphs (k) and (m) (2) in § 1315.110 are amended;

Paragraph (b) in § 1315.111 is amended by deleting from the table the 24th and 31st lines, in which Fordham Tire Co. and Indiana Farm Bureau Cooperative Association, Inc. are listed as the distributors, by amending the 10th, 53rd, and 55th lines in the table, in which Broadway Tire Corporation, Western Auto Supply Co. and World Tire Corporation are listed as the distributors, and by inserting eleven new lines in the table in the appropriate places for the distributors' names to appear in alphabetical order;

Paragraph (d) in § 1315.111 is amended by amending the 36th and 38th lines in the table, in which Western Auto Supply Co. and World Tire Corporation are listed as the distributors, and by inserting fourteen new lines in the table in the appropriate places for the distributors' names to appear in alphabetical order;

Paragraph (e) (1) in § 1315.111 is amended by deleting from the table the 3rd and 5th lines, in which Fordham Tire Co. and Indiana Farm Bureau Cooperative Association, Inc. are listed as the distributors, and by inserting eleven new lines in the table in the appropriate places for the distributors' names to appear in alphabetical order; paragraph

*Copies may be obtained from the Office of Price Administration.

7 F.R. 1323, 1836, 2132, 3036, 3719, 5708, 6048, 6215, 7364, 8948.

(e) (2) in § 1315.111 is amended by deleting from the table the 4th and 6th lines, in which Fordham Tire Co. and Indiana Farm Bureau Cooperative Association, Inc. are listed as the distributors, and by inserting five new lines in the table in the appropriate places for the distributors' names to appear in alphabetical order;

Paragraphs (k) and (m) in § 1315.111 are amended; and a new § 1315.112 is added, as set forth below:

§ 1315.104 *Posting of prices.* (a) Every person engaged in the business of selling new rubber tires or tubes at retail, shall mark or post maximum prices for such tires or tubes in accordance with one of the following subparagraphs:

(1) Such seller shall keep posted in a conspicuous place in each retail establishment at which such tires or tubes are offered for sale, a price list setting forth the maximum retail prices applicable to such tires or tubes. Lists of maximum prices computed in compliance with the terms of Revised Price Schedule No. 63 and prepared by manufacturers of manufacturers' brands and by owners of private brands, may be used for this purpose. The list of maximum prices so posted must show separately all of the following items which are applicable to tires or tubes offered for sale by the seller:

(i) Maximum retail prices for tires or tubes other than Exhibit C passenger-car tires and tubes and passenger-car reclaimed rubber war tires, as established by Revised Price Schedule No. 63 apart from any 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111.

(ii) The amounts, in dollars and cents, of the 16% added to the maximum retail prices of passenger-car tires or tubes, as provided in paragraph (n) of §§ 1315.110 and 1315.111.

(iii) Maximum retail prices for Exhibit C passenger-car tires or tubes, as established by paragraph (o) of §§ 1315.110 and 1315.111.

(iv) Maximum retail prices for passenger-car reclaimed rubber war tires, as established by Appendix C (§ 1315.112). These maximum prices must be clearly identified as applying to tires which are marked with the words "War Tire".

(2) Or such seller shall mark or post the maximum prices of such tires or tubes in accordance with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.

(b) If, on November 25, 1941, the seller had special and separate charges in effect for the extension of credit, for the demounting or mounting of a tire or tube on a vehicle or rim, or for any other service, in connection with the sale of new rubber tires or tubes, and if he de-

sires to continue such charges after January 5, 1942, such seller shall keep posted in a conspicuous place in each retail establishment at which such tires or tubes are offered for sale, a statement listing the prices in effect on November 25, 1941, for such extra service.

(c) A seller at retail shall not remove or cause to be removed from any new rubber tire or tube any tag or label that has been attached to such tire or tube pursuant to an order of the Office of Price Administration.

§ 1315.108 *Definitions.* (a) * * *

(8) "Passenger-car reclaimed rubber war tire" means any passenger-car tire, regardless of the brand or other name appearing thereon, which is manufactured primarily of reclaimed rubber under restrictions of the War Production Board applicable to such war tires, and which has the words "War Tire" marked on the sidewall.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1315.110 *Appendix A: Maximum retail prices for manufacturers' brands of new rubber tires and tubes.* * * *

(b) The prices set forth in paragraph (a) above apply to tires carrying brand names of manufacturers as follows:

Manufacturer	Brand of passenger-car tires	Brand of truck tires
Inland Rubber Corporation.	Heavy service...	Masterpiece.

(d) The prices set forth in paragraph (c) above apply to tubes carrying manufacturers' brand names as follows:

Manufacturer	Brand of passenger-car tubes	Brand of truck tubes
Cupples Co.....	Worthmore deluxe.	Worthmore deluxe extra heavy service.
H. B. Egan Manufacturing Co.	.....	Camel.
Inland Rubber Corporation.	Heavy duty red.	Heavy duty.

(e) (1) The maximum retail prices for 6.00/6.25-16 passenger-car tubes carrying the brand names of certain manufacturers shall be as follows:

Manufacturer	Brand of passenger-car tubes	Maximum price
H. B. Egan Manufacturing Co.....	Camel.....	\$2.45

(k) For manufacturers who did not use a consumer list for quoting prices on

November 25, 1941, the calculations of the percentages called for in paragraphs (f), (g), (h), (i), and (j), shall be made on the basis of the manufacturer's selling price list.

(m) * * *

(2) United States Rubber Company: (i) Maximum prices for the "U. S. Royal Master" and Fisk "Safti-Flight" brands of passenger-car tires shall be the consumer list prices for those brands on file with the Office of Price Administration which were in effect on November 25, 1941.

(ii) Maximum prices for the "Federal Special Service" and "Gillette Special Service" brands of truck tires in the following sizes shall be:

Size	Ply	Maximum price
8.25-20.....	12	\$83.20
9.00-20.....	12	100.90
10.00-20.....	14	125.65
11.00-20.....	14	154.90

§ 1315.111 *Appendix B: Maximum retail prices for private brands of new rubber tires and tubes.* * * *

(b) The prices set forth in paragraph (a) apply to tires carrying brand names of distributors as follows:

Distributor	Brand of passenger-car tires	Brand of truck tires
Ajax Tire and Rubber Corporation.	A-100 Safety....	Custom Built "RNS" Torture Type.
Albert Tire Co....	Silver Eagle.....	.....
Broadway Tire Co.	Carnegie Custom-Master.	Carnegie Custom-Master.
Goldblatt Brothers, Inc.	Apollo Supreme.	.....
Imperial Tire Co..	Lafayette Deluxe.	.....
Murray Tire and Rubber Corporation (New York).	Gear Grip Tread M-100.	Custom Built "RNS" Torture Type.
Northern Tire & Rubber Co.	Ranger.....	.....
Standard Tire & Battery Co.	Silver Eagle.....	.....
Vanderbilt Tire & Rubber Co.	Vanderbilt First Line (4 ply).	Vanderbilt Deluxe Truck-Bus.
Western Auto Supply Co. (Los Angeles, Calif.).	Western Giant Double Duty.	Western Giant Truck.
Western Auto Supply Co. (Kansas City, Mo.).	Super Safety....	Davis High Speed
Westminster Tire Corporation.	Life Protector K-100.	Custom Built "RNS" Torture Type.
World Tire Corporation (St. Louis, Mo.).	Auburn Deluxe.	.....
World Tire Corporation (Toledo, Ohio).	Douglas Super Liner.	.....

* 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5975, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435.

(d) The prices set forth in paragraph (c) above apply to tubes carrying distributors' brand names as follows:

Distributor	Brand of passenger-car tubes	Brand of truck tubes
Ajax Tire and Rubber Corporation.	Red molded, black molded.	Black standard.
Auto Spring & Bearing Co., Inc.	American.	American.
Broadway Tire Co.	Fulton black.	Fulton heavy duty black.
Bruck Tire Co.	Loraine heavy duty.	
Dempsey & Sanders.	Hi-ten.	
Eagle Tire Co.	Vulcan heavy duty red.	
Goldblatt Brothers, Inc.	Apollo extra duty.	
Hoover Tire Co.		Hoover heavy duty Chief.
Imperial Tire Co.	Lafayette heavy duty.	
Murray Tire and Rubber Corporation (New York).	Red molded, black molded.	Black standard.
Valley Oil & Tire Co.	Valtire.	Valtire.
Western Auto Supply Co. (Los Angeles, Calif.)		Jumbo Black.
Western Auto Supply Co. (Kansas City, Mo.)	Standard.	Davis Truck.
Westminster Tire Corporation.	Red molded, black molded.	Black standard.
World Tire Corporation (St. Louis, Mo.)	Defender heavy duty black.	Mainliner heavy duty red.
World Tire Corporation (Toledo, Ohio).	Mainliner red.	Heavy duty red.

(e) (1) The maximum retail prices for 6.00/6.25-16 passenger-car tubes carrying the brand names of certain distributors shall be as follows:

Distributor	Brand of passenger-car tubes	Maximum price
Albert Tire Co.	Silver Eagle Heavy Duty.	\$2.75
Banner Tire Co.	Kenmore.	2.45
Hoover Tire Co.	Hoover Heavy Duty Chief.	3.60
Philips Petroleum Co.	Unique.	1.44
Serber Rubber Co., Inc.	Superba.	3.65
Standard Supply & Tire Corporation.	Rich-lin.	2.40
Sweet & Long.	Sweet & Long.	2.60
Tanner Service Station.	Tanner Heavy Duty.	2.91
Thompson & Ducey.	Thompson & Ducey Heavy Duty.	2.80
Vanderbilt Tire & Rubber Co.	Vanderbilt De Luxe.	2.45
Western Auto Supply Co. (Los Angeles, Calif.)	Giant Brown.	2.15

(2) The maximum retail prices for 8.25-20 truck tubes carrying the brand names of certain distributors shall be as follows:

Distributor	Brand of truck tubes	Maximum price
Albert Tire Co.	Silver Eagle Heavy Duty.	\$10.25
Eagle Tire Co.	Vulcan.	10.25
Serber Rubber Co., Inc.	Superba.	10.25
Standard Supply & Tire Corporation.	Rich-lin.	9.36
Vanderbilt Tire & Rubber Co.	Vanderbilt Truck and Bus Tube.	10.25

(k) For private brand distributors who did not use a consumer list for quoting prices on November 25, 1941, the calculations of the percentages called for in paragraphs (f), (g), (h), (i), and (j), shall be made on the basis of wholesale price lists.

(m) Notwithstanding any other provision of paragraphs (a) to (i) inclusive, the maximum retail prices for the following brands of tires and tubes owned by the following private brand distributors shall be as follows:

(1) Triplex Tire Company: Maximum prices for all brands of passenger-car and truck tires shall be the consumer price list of the company on file with the Office of Price Administration which was in effect on September 30, 1941.

(2) National Co-operatives, Inc.: Maximum prices for all brands of passenger-car and truck tires and tubes shall be those set forth on the list of maximum retail prices filed pursuant to this subparagraph with the Division of the Federal Register.* Such list of maximum retail prices is available at any district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.112 *Appendix C: Maximum retail prices for new passenger-car reclaimed rubber war tires.* The following prices are the maximum prices that may be charged at retail for new rubber tires or tubes at the seller's place of business. The maximum prices set forth herein may not be exceeded for any such sale, even though in a particular case no used tire or tube is traded in. If a used tire or tube is traded in, the trade-in allowance shall be deducted from the maximum price. The actual dollar amount of the Federal Excise Tax paid on any tire or tube may in each case be added to the maximum price established by Revised Price Schedule No. 63.

* Filed with the Division of the Federal Register as part of the original document.

(a) Notwithstanding any of the provisions of Appendixes A and B (§§ 1315.110 and 1315.111), the maximum retail prices for new passenger-car reclaimed rubber war tires shall be:

Size:	Maximum price
7.00-15	\$17.80
6.00-16	13.25
6.25/6.50-16	16.65
7.00-16	13.25
5.25/5.50-17	12.20
5.25/5.50-18	11.10
4.75/5.00-19	9.95
4.50/4.75/5.00-20	11.05
4.40/4.50-21	9.90
30 x 3 1/2	8.45

§ 1315.109a *Effective dates of amendments.*

(g) Amendment No. 6 (§§ 1315.104; 1315.108; 1315.110 (b), (d), (c) (1), (k), (m) (2); 1315.111 (b), (d), (c) (1), (c) (2), (k), (m); 1315.112) to Revised Price Schedule No. 63 shall become effective November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12475; Filed, November 25, 1942; 3:14 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 143, Amendment 2]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The paragraph heading and the introductory text before the subparagraphs in paragraph (b) in § 1315.1501 is amended; paragraphs (d) and (e) in § 1315.1501 are redesignated (f) and (g) respectively; two new paragraphs (d) and (e) are added to § 1315.1501; and subparagraph (3) in the redesignated paragraph (g) in § 1315.1501 is amended;

Paragraph (b) in § 1315.1505 is amended, and four new paragraphs (c), (d), (e) and (f) are added;

A new subparagraph (9) is added to paragraph (a) in § 1315.1510, and a new paragraph (b) is added to § 1315.1510; as set forth below:

§ 1315.1501 *Maximum wholesale prices for new rubber tires and tubes.* * * *

(b) *Passenger-car tires and tubes other than Exhibit C tires and tubes and*

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3664, 5712.

reclaimed rubber war tires. The maximum wholesale price for any new rubber passenger-car tires or tubes, except Exhibit C passenger-car tires and tubes and passenger-car reclaimed rubber war tires, shall be the first applicable price among the prices set forth in the following subparagraphs (1) to (4), inclusive:

(d) *Passenger-car reclaimed rubber war tires.* The maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be a price determined according to whichever of the following subparagraphs (1) to (3) is applicable:

(1) *Sales on the basis of consumer price lists.* (i) For any seller who quoted wholesale prices during March, 1942, by applying discounts to a consumer price list, the maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be determined by deducting from the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, a percentage discount equal to the smallest discount from maximum retail prices at which the seller delivered, or if he did not deliver, at which he offered for delivery, during March, 1942, to a purchaser of the same class, the brand of passenger-car tires listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on such reclaimed rubber war tires.

(ii) If such seller did not deliver or offer for delivery during March, 1942, to a purchaser of the same class, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be determined by calculating the maximum wholesale price for the most comparable purchaser in accordance with the provisions of subdivision (i), and adjusting the price so calculated in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942.

(2) *Sales on the basis of net wholesale price lists.* (i) For any seller who quoted wholesale prices during March, 1942, on the basis of a net wholesale price list, the maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be determined by taking the highest net price at which the seller delivered, or if he did not deliver, at which he offered for delivery, during March, 1942, to a purchaser of the same class, the 6.00—16 size of the brand of pas-

senger-car tires listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on such reclaimed rubber war tires, expressing that price as a percentage of the maximum retail price for the 6.00—16 size of the same brand, as established by Revised Price Schedule No. 63 apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, and applying that percentage to the maximum retail prices for the reclaimed rubber war tires, as established by Revised Price Schedule No. 63.

(ii) If such seller did not deliver or offer for delivery during March, 1942, to a purchaser of the same class, any 6.00—16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be determined by calculating the maximum wholesale price for the most comparable purchaser in accordance with the provisions of subdivision (i), and adjusting the price so calculated in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942.

(3) *Manufacturers' sales to private brand distributors.* Notwithstanding any provision of subparagraphs (1) and (2) of this paragraph, the maximum wholesale price for any sale or delivery by a manufacturer to a private brand distributor of new passenger-car reclaimed rubber war tires bearing the distributor's company name or brand name shall be the price determined upon the manufacturer's first sale or delivery of such tires to the private brand distributor, by applying to the factory cost of the particular size of reclaimed rubber war tire, determined according to subdivision (i), the percentage mark-up applicable to the purchaser, determined according to subdivision (ii). The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the manufacturer to the same private brand distributor.

(i) *Computation of factory cost.* The factory cost of a reclaimed rubber war tire shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead. The direct labor costs shall be determined by multiplying the number of hours of each type of labor required in the manufacture of the tire by the wage rates determined

in accordance with inferior subdivision (a) of this subdivision (i). The direct materials costs shall be determined by multiplying the quantity of each type of material required in the manufacture of the tire by the materials prices determined in accordance with inferior subdivision (b) of this subdivision (i). If any materials are supplied or paid for directly by the private brand distributor, the cost of such materials shall not be included in calculating the factory cost of the reclaimed rubber war tire. Waste shall be determined by applying the same methods as were used or would have been used by the manufacturer in similar production during March, 1942, adjusted to reflect the actual quantity of waste in the production of the reclaimed rubber war tire. The factory overhead shall include the following items: expense materials, supplies and miscellaneous expense; indirect labor and salaries; repairs and maintenance; depreciation; insurance; taxes, excluding income and excess profits taxes; power; royalties; mold depreciation if the manufacturer owns the mold; factory warehousing and shipping expenses (at location in the same town or city as the factory is located). The factory overhead shall be determined by using the bases and predetermined rates which the manufacturer had in effect on November 1, 1941, in determining the factory overhead on the brand of passenger-car tire listed in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 for the private brand distributor whose company name or brand name appears on the reclaimed rubber war tire. If the manufacturer did not manufacture during November, 1941, any tires of the brand so listed for that distributor, the factory overhead shall be determined by using the rates and bases actually used by the manufacturer during November, 1941, in determining the factory overhead on the brand of tires most comparable thereto.

(a) *Wage rates.* The wage rates applicable to any tire shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the tire. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(b) *Materials prices.* The price of any materials used in the tire being priced shall be the highest price charged

during March, 1942, (as defined in subdivision (iii) of this subparagraph (3)) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (1) his March, 1942, supplier of the material, or (2) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exists; it shall be his potential supplier. For the purposes of this inferior subdivision (b) if the manufacturer shall receive a written affirmation from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the affirmation, and if, as of the time of his determination of the price of a tire, the maximum price of which is established by this paragraph, the manufacturer shall have no reason to believe that the selling price of the material is in excess of the maximum price established by the Office of Price Administration, the price as affirmed by the seller shall be deemed to be the maximum price established by the Office of Price Administration for that material.

(ii) *Percentage mark-up.* The percentage mark-up to be applied to the factory cost of any size of reclaimed rubber war tire in determining its maximum price to any particular private brand distributor shall be the difference between the manufacturer's actual factory cost in November, 1941, for the 6.00-16 size tire of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the manufacturer during November, 1941, to that private brand distributor, expressed as a percentage of such November, 1941, factory cost. In determining the actual November, 1941, factory cost on the 6.00-16 size tire of the brand specified above, the manufacturer shall consider the same elements of cost as those specified by subdivision (i) of this subparagraph (3) for determining the factory cost of a reclaimed rubber war tire. If the manufacturer did not deliver or offer for delivery to a particular private brand distributor during November, 1941, any 6.00-16 size tires of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, the percentage mark-up to be applied in determining the maximum price to that distributor shall be a mark-up approved in writing by the Office of Price Administration upon application by the manu-

facturer as provided in subdivision (v) of this subparagraph (3).

(iii) *Definitions.* When used in subdivision (i) (b) of this subparagraph (3), the phrase "highest price charged during March, 1942", means:

(a) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to the same manufacturer in a quantity normal for that manufacturer.

(b) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser.

(c) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer or to a purchaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(iv) *Report of maximum prices.* Within five days after a private brand distributor first agrees to buy tires for which a maximum price must be determined under this subparagraph (3) or within five days after the completion of the production of the tires for the first sale or delivery of such tires to such a purchaser, whichever is later, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him for each size of tire. The report shall show in detail the computation of the factory cost of each size of reclaimed rubber war tire and shall include a detailed showing of how the percentage mark-up to be applied was determined. The showing of how the percentage mark-up was determined either shall give in detail a breakdown of the November, 1941, factory cost of the 6.00-16 size tire of the brand listed for the same distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 and set forth the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery by the manufacturer during November, 1941, to the same private brand distributor, or it shall state that application for approval of a percentage mark-up has been made pursuant to subdivision (v) of this subparagraph (3). The report under this subdivision (iv) shall be made on Form 243-1, copies of which are available at the Office of Price Administration, Washington, D. C., and shall include in detail all the information called for on that form. The manufacturer may not accept payment for any such tires until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. If the fifteen days elapse without the Office of Price Administration making any adjustment in the price reported, that price

shall be the maximum wholesale price to that purchaser and shall apply to all future deliveries of such tires until adjusted by written order of the Office of Price Administration. If within this fifteen day period the Office of Price Administration has not disapproved in writing a mark-up requested in accordance with subdivision (v) of subparagraph (3), the manufacturer may consider that mark-up as approved. Subsequent to this fifteen day period, the price reported shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(v) *Application for approval of a percentage mark-up.* If the manufacturer did not deliver or offer for delivery to a particular private brand distributor during November, 1941, any 6.00-16 size tires of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, the manufacturer must apply to the Office of Price Administration for approval of a percentage mark-up to be used in determining the maximum price to such distributor under this subparagraph (3). Such application for approval must set forth the mark-up requested along with a showing that it is in line with other mark-ups determined according to subdivision (ii) of this subparagraph (3) and a detailed explanation of the basis for determining such mark-up. The application must be made at the same time as or prior to the report of maximum prices under subdivision (iv) of this subparagraph (3). The Office of Price Administration will approve or disapprove in writing the percentage mark-up for which approval is requested.

(4) *Retail price labels.* On and after December 1, 1942, before the delivery of any passenger-car reclaimed rubber war tire to any purchaser, every manufacturer and private brand distributor must, for those tires which bear its own company name or brand name, attach or cause to be attached securely to each such tire or to the wrapping on the tire, so that it is clearly visible, either a tag or a label displaying the following statement, with the maximum retail price of the tire at least one inch in height: "This reclaimed rubber war tire is a Grade III tire. OPA retail ceiling price \$_____ plus Federal Excise Tax. This notice may not be removed until delivered to the consumer."

(e) *Other tires and tubes.* The maximum wholesale price for any new rubber tires or tubes which cannot be priced under paragraphs (a) to (d), inclusive, of this section shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (1) a description in detail of the tires or tubes for which a maximum price is sought, including the brand name, type, sizes and plies; (2) a statement of the facts which make it impossible for him to determine a maximum price under paragraphs (a) to (d), in-

clusive; (3) his proposed pricing method; and (4) a statement of the reasons why he believes that the use of this method will result in a maximum price which is in line with the level of maximum prices established by this Maximum Price Regulation No. 143. Such authorization will be given in the form of an order prescribing a method of determining the maximum price.

(f) *Sales for export.* * * *

(g) *Taxes.* * * *

(3) The dollar amount of the Federal Excise Tax levied in respect to tires and tubes may be added to the maximum prices established by paragraphs (c) and (d) of this section.

§ 1315.1505 *Records and reports.*

(b) Any manufacturer or private brand distributor who proposes to sell for the first time any tires or tubes, except passenger-car tires or tubes, of a brand, size, or type which was not on the price list from which that brand owner quoted prices on November 25, 1941, shall report to the Office of Price Administration, Washington, D. C., at least five days before he offers any such tires or tubes for sale, the maximum wholesale prices for such tires or tubes as determined by the seller under subparagraph (3) or (4) of paragraph (a) of § 1315.1501. The report shall set forth the brand name of the tires or tubes, indicating their type, the sizes and plies in which such brand is to be manufactured, and the maximum wholesale prices for each class of purchasers. It shall also give in detail the basis used for determining the maximum wholesale prices, including the brand name, type, maximum wholesale prices, and maximum retail prices of the comparable tires or tubes which are used as the basis for the determination under subparagraph (3) or (4) of paragraph (a) of § 1315.1501, and including a detailed explanation of the differences in type, quality, size, and cost between the tires or tubes for which maximum prices are being established and such comparable tires or tubes and any other reasons supporting the adjustments made. The seller may not accept payment for the tires or tubes until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(c) Every manufacturer who produces passenger-car reclaimed rubber war tires shall file a report with the Office of Price Administration, Washington, D. C., stating the unit costs as of January 1, 1943, and as of the first day of every calendar quarter thereafter, for each size of passenger-car reclaimed rubber war tire it produces. The unit costs shall be reported on Form 243:2 and shall show labor costs and materials costs on the basis of wage rates and materials prices prevailing during March 1942, and factory overhead and other elements of unit cost computed by using the same rates and

bases as were actually used during November 1941 for computing unit costs on the brand of passenger-car tire listed for the same manufacturer in paragraph (b) of § 1315.110 of Revised Price Schedule No. 63, giving in detail all the unit cost information called for on Form 243:2. Copies of Form 243:2 are available at the Office of Price Administration, Washington, D. C. The reports shall be filed not later than thirty days after the date as of which they must state the unit costs.

(d) On or before January 1, 1943, every manufacturer and private brand distributor shall file with the Office of Price Administration, Washington, D. C., a report covering every one of its brands, sizes, and types of tires or tubes, except reclaimed rubber war tires, which was not on the price list from which that brand owner quoted prices on November 25, 1941, but which has been sold on the market for the first time between that date and November 25, 1942. Such report shall list each brand name, indicating the type of tire or tube, show the sizes and plies in which each of those brands is manufactured, set forth the maximum wholesale prices established for such tires or tubes for each class of purchasers, and give in detail the basis which was used for determining the maximum wholesale prices, indicating the exact provision of this regulation which was applied.

(e) On or before January 1, 1943, every manufacturer and private brand distributor shall file with the Office of Price Administration, Washington, D. C., a detailed report of its complete discount structure or net selling prices which are applicable to passenger-car reclaimed rubber war tires under subparagraphs (1) and (2) of § 1315.1501 (d). Such report shall indicate the highest prices charged for the brand of passenger-car tire listed for such manufacturer or distributor in paragraph (b) of § 1315.110 or 1315.111 of Revised Price Schedule No. 63, to each class of purchasers during March, 1942, by showing either the maximum retail price list from which discounts were allowed and the smallest discount allowed to each class of purchasers or the highest net price charged to each class of purchasers for the 6.00-16 size. The report shall also set forth a complete list of all the classes of purchasers to whom such seller delivered or offered such tires during March, 1942, indicating in detail all the bases, such as volume of purchases or function in the trade, used by the seller in distinguishing between classes of purchasers.

(f) Such persons shall submit such other reports to the Office of Price Administration and keep such other records in addition to or in place of the records and reports required in paragraphs (a) to (d) of this section as the Office of Price Administration may from time to time require or permit.

§ 1315.1510 *Definitions.* (a) * * *

(9) "Passenger-car reclaimed rubber war tire" means any passenger-car tire, regardless of the brand or other name appearing thereon, which is manufactured primarily of reclaimed rubber under restrictions of the War Production Board applicable to such war tires,

and which has the words "War Tire" marked on the sidewall.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of The Emergency Price Control Act of 1942, shall apply to other terms used herein.

§ 1315.1512 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1315.1501 (b), (d), (e), (f), (g); 1315.1505 (b), (c), (d); (e), (f); 1315.1510 (a) (9), (b)) to Maximum Price Regulation No. 143 shall become effective November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 25th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12477; Filed, November 25, 1942; 3:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 120 Under § 1499.18 (b) of GMPR]

MERCHANTS CHEMICAL COMPANY

Order No. 120 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-86-P.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1021 *Adjustment of maximum price for charcoal sold by Merchants Chemical Company.* (a) Merchants Chemical Company of Minneapolis, Minnesota, may sell and deliver and any person may buy and receive charcoal from that concern at a price no higher than that set forth below:

\$28.50 per ton, f. o. b. plant in carload quantities.

(b) All discounts, allowances and trade practices in effect with respect to the commodity named above during March, 1942 by the seller shall remain in effect under this order.

(c) At the first delivery to any purchaser of charcoal at a price authorized by this order, Merchants Chemical Company shall deliver the following notice to the purchaser:

The Office of Price Administration has permitted us to raise our maximum price to you for carload quantities of charcoal from \$28.00 per ton, freight allowed to Council Bluffs, Iowa, to \$28.50 f. o. b. plant, with all discounts, allowances and trade practices in effect with respect to the price of \$28.00 charged during March, 1942. You or no other seller is permitted to raise his maximum price for the sale of charcoal purchased from us. If, however, you feel that you are suffering substantial hardship and that your maximum prices are abnormally low in relation to the maximum prices established for your most competitive sellers of such products, you may apply to the Office of Price Administration in Washington, D. C., under the provisions of section 18 (a) of the General Maximum Price Regulation prior to November 30, 1942.

The last sentence of the above notice shall be omitted on deliveries subsequent to November 30, 1942.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 120 may be revoked at any time.

(f) This Order No. 120 (§ 1499.1021) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 120 (§ 1499.1021) shall become effective November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 25th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12478; Filed, November 25, 1942; 3:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 10 to Rev. Sup. Reg. 11¹ to GMPR²]

EXCEPTIONS FOR CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

A new subparagraph (108) to § 1499.46 is added as set forth below:

§ 1499.46 *Exceptions for certain services.* * * *

(b) The General Maximum Price Regulation shall not apply to the rates, fees, charges, or compensation for the following services:

(108) Services rendered in connection with the operation of aircraft for any War Procurement Agency pursuant to a contract to be performed in whole or in part outside the territorial limits of the United States.

(d) Effective dates. * * *

(11) Amendment No. 10 (§ 1499.46 (b) (108)) to Revised Supplementary Regulation No. 11 shall become effective November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 25th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12476; Filed, November 25, 1942; 3:33 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 31]

TAX ON TRANSPORTATION OF PROPERTY IMPOSED BY REVENUE ACT OF 1942

A statement of the reasons for this Supplementary Order No. 31 has been issued.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 2426, 6965, 7604, 7758, 8282, 8431, 8810, 9195.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5976, 5192, 5365, 5445, 5565, 5484, 5775, 5764, 5783, 6038, 6081, 6007, 6316, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

sued simultaneously herewith and has been filed with the Division of the Federal Register.*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, it is hereby ordered, That:

§ 1305.36 *Treatment of the tax on transportation of property imposed by the Revenue Act of 1942.* (a) Notwithstanding the provisions of any price regulation, the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.

(b) This Supplementary Order No. 31 shall not apply to the following price regulations:

(1) Revised Price Schedule No. 4—Iron and Steel Scrap.¹

(2) Maximum Price Regulation No. 112—Pennsylvania Anthracite.²

(3) Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant.³

(4) Maximum Price Regulation No. 121—Miscellaneous Solid Fuels Delivered from Producing Facilities.⁴

(5) Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities other than Producing Facilities—Dealers.⁵

(6) Revised Maximum Price Regulation No. 130—Standard Newsprint Paper.⁶

(7) Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts.⁷

(8) Maximum Price Regulation No. 189—Bituminous Coal Sold for Direct Use as Bunker Fuel.⁸

(9) Maximum Price Regulation No. 236—Heating Boiler Conversion Parts.⁹

(10) Any price regulation issued after the effective date of this Supplementary Order No. 31 which specifically provides that this Supplementary Order No. 31 shall not apply.

(c) As used in this Supplementary Order No. 31:

(1) "Revenue Act of 1942" means Public Law 753—77th Congress, approved October 21, 1942.

(2) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

imum price regulation heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

(d) This Supplementary Order No. 31 (§ 1305.36) shall become effective December 1, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12520; Filed, November 26, 1942; 1:15 p. m.]

PART 1335—CHEMICALS

[RPS 21,¹ Amendment 2]

FORMALDEHYDE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1335.52a is added as set forth below:

§ 1335.52a *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1335.59a *Effective dates of amendment.* * * *

(b) Amendment No. 2 (§ 1335.52a) to Revised Price Schedule No. 21 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12512; Filed, November 26, 1942; 1:18 p. m.]

PART 1335—CHEMICALS

[RPS 31,² Amendment 2]

ACETIC ACID

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1335.202a is added as set forth below:

§ 1335.202a *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for

¹ 7 F.R. 398, 1249, 1836, 2000, 2132, 8201.

² 7 F.R. 1263, 1836, 2000, 2132, 8201.

adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1335.209a *Effective dates of amendment.* * * *

(b) Amendment No. 2 (§ 1335.202a) to Revised Price Schedule No. 31 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12513; Filed, November 26, 1942;
1:18 p. m.]

PART 1335—CHEMICALS

[RPS 80,¹ Amendment 4]

LITHOPONE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1335.652a is added as set forth below:

§ 1335.652a *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1335.658a *Effective dates of amendment.* * * *

(d) Amendment No. 4 (§ 1335.652a) to Revised Price Schedule No. 80 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12514; Filed, November 26, 1942;
1:19 p. m.]

PART 1335—CHEMICALS

[RPS 98,² Amendment 3]

TITANIUM PIGMENTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 1355, 1643, 1836, 2132, 2759, 8203.

² 7 F.R. 1392, 1836, 2108, 2132, 8203.

A new § 1335.752a is added as set forth below:

§ 1335.752a *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1335.758a *Effective dates of amendment.* * * *

(c) Amendment No. 3 (§ 1335.752a) to Revised Price Schedule No. 98 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12515; Filed, November 26, 1942;
1:19 p. m.]

PART 1346—BUILDING MATERIALS

[Revised 1 APR 236]

HEATING BOILER CONVERSION PARTS

The preamble and §§ 1346.151 to 1346.167, inclusive, of Maximum Price Regulation No. 236¹ are renumbered and amended as set forth below.

In the judgment of the Price Administrator it is necessary and proper, in order to effectuate the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to replace the General Maximum Price Regulation and Maximum Price Regulation No. 188 with a separate regulation establishing maximum prices for the sale of conversion parts used in converting heating boilers from oil to hand fired solid fuels and for installation services relating thereto.

So far as practicable, the Price Administrator has consulted with representatives of the trade and industry which will be affected by this regulation. In the judgment of the Price Administrator the maximum prices established by this Regulation are generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Revised Maximum Price Regulation No. 236 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1² issued by the Office of Price Administration, Revised

Maximum Price Regulation No. 236 is hereby issued.

Sec.	
1346.151	Purpose and scope of the regulation.
1346.152	Export sales.
1346.153	Geographical applicability.
1346.154	Prohibitions.
1346.155	Maximum prices for sales by manufacturers.
1346.156	Maximum prices for sales by wholesalers.
1346.157	Maximum prices for sales by retailers.
1346.158	Maximum prices for installation services.
1346.159	Maximum prices for special combination grates.
1346.160	Less than maximum prices.
1346.161	Federal and State taxes.
1346.162	Adjustable pricing.
1346.163	Evasion.
1346.164	Records and reports.
1346.165	Details required on contract of sale and invoice.
1346.166	Licensing.
1346.167	Petitions for amendments.
1346.168	Enforcement.
1346.169	Definitions.
1346.170	Effective date.

AUTHORITY: §§ 1346.151 to 1346.170, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1346.151 *Purpose and scope of this regulation.* The purpose of this revised Maximum Price Regulation No. 236 is to establish maximum prices for sales of conversion parts for heating boilers, as defined in § 1346.169 (a) (8). The Regulation applies to sales by manufacturers, wholesalers, and retailers. However, if the total weight of conversion parts sold at one time is 10 pounds or less, the maximum prices fixed by this Regulation do not apply. The Regulation also establishes maximum prices for the installation of conversion parts for heating boilers. The Regulation is only applicable in those areas of the country indicated in § 1346.153.

Sales of conversion parts for warm air furnaces, any sale of conversion parts for heating boilers, the total weight of which is 10 pounds or less, and sales of conversion parts for heating boilers in areas not subject to this Regulation, are covered by Maximum Price Regulation No. 188, which incorporates many of the provisions of the General Maximum Price Regulation.

Maximum prices for the installation of the conversion parts for heating boilers and warm air furnaces referred to in the previous paragraph are established in Maximum Price Regulation No. 251.

Maximum prices for sales of conversion parts for marine and industrial boilers, and installation services with respect to such parts, are subject to Maximum Price Regulation No. 136.

Conversion parts, as defined in § 1346.169 (a) (8) of this Regulation, do not include manganese steel castings or manganese steel casting products as defined in, and controlled by, Maximum Price Regulation No. 235.

Maximum Price Regulation No. 244, which establishes maximum prices for gray iron castings, does not apply, but this regulation does apply to the sale

¹ 7 F.R. 8195, 8944.

² 7 F.R. 8961.

of gray iron castings used for conversion parts.

§ 1346.152 *Revised Maximum Export Price Regulation* applicable. The maximum price at which a person may export any conversion parts shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

§ 1346.153 *Geographical applicability.* (a) The provisions of this revised Maximum Price Regulation No. 236 shall be applicable to the Eastern part of the United States defined herein as the states of: Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia. This Revised Maximum Price Regulation No. 236 applies to all sales of conversion parts where delivery or installation is to be made within the above described geographical area although the person making the sale or installation may be located outside the area. The regulation has a wider geographical application with respect to certain conversion parts, as indicated in the next paragraph.

(b) The maximum prices for special combination grates set forth in § 1346.159 shall be applicable to sales, deliveries, and installations made in the 48 states of the United States and the District of Columbia.

§ 1346.154 *Prohibitions against sales and the installation of conversion parts at higher than maximum prices.* On and after November 26, 1942, regardless of any contract, lease, or other obligation:

(a) No person shall sell or deliver any conversion parts and no person shall supply conversion parts installation service at a price higher than the maximum price permitted by this Revised Maximum Price Regulation No. 236. *Provided*, That the provisions of this paragraph shall not be applicable to sales and deliveries of conversion parts or the supplying of installation services relating thereto to a purchaser, if prior to November 26, 1942:

(1) Such conversion parts have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser, or

(2) If the seller has delivered the conversion parts to the site designated by the purchaser where the installation is to be made, or

(3) The service of installation has actually begun.

(b) No person in the course of trade or business shall buy or receive any conversion parts or installation services at a price higher than that permitted by this Revised Maximum Price Regulation No. 236.

(c) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in paragraphs (a) and (b) of this section.

§ 1346.155 *Maximum prices for the sale and delivery of conversion parts by manufacturers.* (a) Maximum prices for the sale of conversion parts by manufacturers shall be as follows:

Class of purchaser:	Price, cents per pound of conversion parts
Wholesalers	11
Retailers	15½
Ultimate purchasers	20

(b) *Transportation charges, services, cash and quantity discounts.* (1) The maximum prices for sales by manufacturers shall include at least the same absorption of transportation costs, and other charges, at least the same rendition of services, and at least the same extension of quantity and cash discounts as were or would have been absorbed, rendered or extended by the seller on comparable sales to a purchaser of the same class on October 1, 1941.

(2) In the event the manufacturer makes a sale directly to a retailer or an ultimate purchaser, and, in accordance with his practice on October 1, 1941, he makes a charge for the cost of transporting the parts to the retailer or ultimate purchaser, he shall state the transportation costs incurred by him in making delivery as a separate item on the invoice rendered to the retailer or ultimate purchaser.

§ 1346.156 *Maximum prices for the sale and delivery of conversion parts by wholesalers.* (a) Maximum prices for the sale of conversion parts by wholesalers shall be as follows:

Class of purchaser:	Price, cents per pound of conversion parts
Retailers	15½
Ultimate purchasers	20

(b) *Transportation charges.* On sales by wholesalers, where the shipment originates at a wholesaler's warehouse, or where the shipment originates at a manufacturer's foundry or plant at the request of the purchaser, the maximum prices set forth above shall be f. o. b. the wholesaler's warehouse or the manufacturer's foundry or plant, respectively. In either case, where the wholesaler makes delivery to the purchaser, he may add to the maximum prices set forth above the transportation cost actually incurred by him in making delivery. He must, however, state the transportation cost incurred by him separately on the invoice rendered to the purchaser. In the event a wholesaler makes a sale where the shipment originates at a manufacturer's foundry or plant, although not at the request of the purchaser, the shipment shall be treated, for the purpose of determining the transportation costs which may be charged to the purchaser, as though it originated at the wholesaler's warehouse.

(c) *Services, cash and quantity discounts.* The maximum prices for sales by wholesalers shall include at least the same rendition of services, and at least the same extension of cash and quantity discounts as were or would have been rendered or extended by the seller on comparable sales to a purchaser of the same class on October 1, 1941.

§ 1346.157 *Maximum prices for the sale and delivery of conversion parts by retailers.* (a) Maximum prices for the sale of conversion parts by retailers shall be as follows:

Class of purchaser:	Price, cents per pound of conversion parts
Ultimate purchaser	20

(b) *Transportation charges.* Retailers may add to the maximum prices established above the actual transportation costs incurred in securing conversion parts directly from either the manufacturer or the wholesaler: *Provided*, That the retailer states the transportation costs separately on the invoice rendered to the ultimate purchaser. In the event a retailer purchases a quantity of conversion parts that will be resold to different ultimate purchasers, he shall prorate the transportation costs equally on a per pound basis.

§ 1346.158 *Maximum prices for the installation of conversion parts.* The maximum price for the installation of conversion parts, but including the installation of special combination grates only when installed by a person other than the seller of the special combination grate, shall not be in excess of a sum computed in the following manner:

(a) Take the number of hours utilized in making the installation (figuring the time on the basis of the practice customarily employed by the installer on October 1, 1941).

(b) Multiply the number of hours utilized by the highest hourly price charged by the installer during the month of March 1942 for the same or similar mechanical service employing the same class of mechanics or, in the event the installer had no such established hourly price for such service or similar service during March 1942, the maximum hourly price of the nearest competitor who pays the same wage rate and employs the same class of mechanics: *Provided*, That the hourly price charged may be adjusted to reflect actual increases in wage rates paid by the installer becoming effective between March 1, 1942, and October 3, 1942, by adding to such March hourly price charged only the actual hourly increase in the wage rate during such period.

§ 1346.159 *Maximum prices for special combination grates—(a) Installed price.* The maximum prices for the sale of special combination grates installed in the purchaser's heating boiler are as follows:

Trade name of special combination grate	Type	Capacity	Installed price
"Konver-to-Kol."	Kit A...	Up to 24" fire pot...	\$34.95
	Kit B...	25" to 34" fire pot...	39.95
"Convert-O-Grates."	Kit A...	Up to 24" fire pot...	34.95
	Kit B...	25" to 34" fire pot...	39.95
"Stoket"	A-14...	Up to 20" fire pot...	32.95
	A-22...	22" to 26" fire pot...	39.95
	Type B...	27" to 40" fire pot...	37.95
	Type C...	21" to 27" fire pot...	34.95

(b) *Uninstalled price.* The maximum price for the sale of any special combination grate listed above shall be a price not higher than the installed price

for such grate as established above less the cost to the seller of making the installation in the locality where the special combination grate is to be installed.

§ 1346.160 *Less than maximum prices.* Lower prices than those set forth in this regulation may be offered, charged, demanded, or paid.

§ 1346.161 *Federal and State taxes.* There may be added to the maximum price established by this Revised Maximum Price Regulation No. 236 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (a) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (b) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer or user with tokens or other media of State or municipal tax payment; or (c) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately, by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer, or user.

§ 1346.162 *Adjustable pricing.* Any person may offer or agree to adjust prices to or at prices not higher than the maximum prices in effect at the time of delivery.

§ 1346.163 *Evasion.* The price limitations set forth in this Revised Maximum Price Regulation No. 236 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, supply, or delivery of, or relating to conversion parts of installation services relating thereto, either alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise. No retailer or installer shall require an ultimate purchaser to buy conversion parts not actually required to complete in good mechanical working order the conversion of his oil fired heating boiler for the use of hand fired solid fuel. No seller shall require any purchaser for resale to purchase conversion parts which he does not want as a condition of receiving conversion parts which he does want. Nor shall any seller require purchases of conversion parts to be made in quantities weighing 10 pounds or less in order to secure a higher price.

§ 1346.164 *Records and reports.* (a) Every person making sales of conversion parts, other than special combination grates, subject to this Revised Maximum Price Regulation No. 236 shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate

records of each such sale, showing the date thereof, the name and address of the purchaser, an itemized list of conversion parts sold, their total net weight, and the total price received, with any charge made for transportation shown separately.

(b) Every person making sales of special combination grates for which maximum prices are established by this regulation shall keep for inspection complete and accurate records of each such sale, showing the date thereof, the name and address of the purchaser, the trade name, type, and capacity of the grate, the price received, and a notation as to whether the grate was sold installed or uninstalled.

(c) Every person engaged in the sale or supply of conversion parts installation services for which maximum prices are established in § 1346.158 shall preserve for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records of each such sale or supply of installation services showing:

- (1) The name and address of the purchaser of such service or installation;
- (2) The date thereof;
- (3) The actual number of hours employed for completion of the conversion;
- (4) The rate charged the purchaser per hour;
- (5) The type and number of unit converted.

(d) Every person engaged in the sale and supply of conversion parts installation service shall file, on or before December 21, 1942, with the War Price and Rationing Board of the Office of Price Administration having jurisdiction over the area in which the seller is located the following:

- (1) The hourly prices charged for conversion parts installation services during the month of March 1942;
- (2) The hourly rate of wages paid to employees performing such service or a similar service in March 1942;
- (3) If there has been any increase in the hourly wage rate between the period of March 1, 1942, and October 3, 1942, the amount thereof and the effective date of such increase;
- (4) If the installer of conversion parts did not have such established hourly price for such service or a similar service during March 1942, the maximum hourly price of the nearest competitor who pays the same wage rate and employs the same class of mechanics.

(e) Every person engaged in the sale and supply of conversion parts installation service shall prepare on or before December 21, 1942, to the full extent of all available information and records and thereafter keep posted in a conspicuous manner at his place of business for examination by any person during ordinary business hours a statement showing the highest prices which he may charge for installation services pursuant to the terms of § 1346.158 of this regulation.

(f) Persons affected by this Revised Maximum Price Regulation No. 236 shall submit such other reports to the Office of

Price Administration as it may from time to time require.

§ 1346.165 *Details required in contract of sale and invoice.* (a) Every seller of conversion parts, other than special combination grates, shall with respect to every sale thereof deliver to the purchaser an invoice which shall contain the name and address of the purchaser and the seller; the date upon which the sale was made; an itemized list of the conversion parts sold; their total net weight; the price per net pound of such conversion parts; and the total price paid, with any charge made for transportation shown separately if required by §§ 1346.155, 1346.156, and 1346.157.

(b) Every person making sales of special combination grates for which maximum prices are established by this regulation shall with respect to every sale thereof deliver to the purchaser an invoice showing the name and address of the seller; the date upon which the sale was made; trade name, type, and capacity of the grate; the price received, and whether sold installed or uninstalled.

(c) Every person supplying conversion parts installation services for which maximum prices are established in § 1346.158 shall furnish with respect to each installation an invoice which shall contain the name and address of the purchaser and the seller; the date on which the installation was made; the total number of hours actually employed to complete the conversion; the rate per hour charged for such service; and the type and number of unit converted.

(d) Every person selling conversion parts, other than special combination grates, and supplying the services necessary for their installation shall furnish to the purchaser an invoice containing all of the information required in paragraphs (a) and (c) of this section. The invoice shall also bear the following statement signed by the seller and shall be true to the knowledge of the seller in all respects:

The total conversion parts used do not exceed the actual requirements for the conversion of the heating boiler from oil firing to the use of solid fuels. The weight of the parts so used and listed on this invoice is accurate and the prices therefor conform with Revised Maximum Price Regulation No. 236, issued by the Office of Price Administration to the best of my knowledge and belief.

§ 1346.166 *Licensing.* The provisions of Supplementary Order No. 18 (§ 1305.22)⁴ licensing persons selling lumber, lumber products or building materials are applicable to every person (except manufacturers) making a sale of conversion parts for which maximum prices are fixed by this regulation.

§ 1346.167 *Petitions for amendment.* Any person seeking an amendment of any provision of this Revised Maximum Price Regulation No. 236 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

⁴ 7 F.R. 7240.

§ 1346.168 *Enforcement.* (a) Persons violating any provisions of this Revised Maximum Price Regulation No. 236 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Revised Maximum Price Regulation No. 236, or any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation are urged to communicate with the nearest state, district, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

(c) The provisions of paragraph (a) of this section shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this Revised Maximum Price Regulation No. 236, or by the Emergency Price Control Act of 1942, as amended.

§ 1346.169 *Definitions.* (a) When used in the Revised Maximum Price Regulation No. 236, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means a person operating a foundry or plant which produces conversion parts, but does not include a person purchasing conversion parts for purposes of resale.

(3) "Wholesaler" means a person who purchases conversion parts for purposes of resale primarily from a manufacturer or another wholesaler and sells primarily to persons who will resell to the ultimate purchaser.

(4) "Retailer" means a person who purchases conversion parts for purposes of resale to ultimate purchasers, whether or not he is an installer.

(5) "Ultimate purchaser" means a person who purchases conversion parts for use rather than resale.

(6) "Installation service" means a mechanical service necessary to convert an oil fired heating boiler and make it ready for use for hand fired solid fuels.

(7) "Installer" means a person who furnishes installation services.

(8) "Conversion parts" means the metal parts necessary to convert an oil fired heating boiler, other than an industrial or marine boiler, and make it ready for use for hand fired solid fuels, and shall include, but shall not be limited to, the following parts whether actually used for conversion, repair, or otherwise:

- (i) Grate assemblies and parts.
- (ii) Grate supports.
- (iii) Shaker handles.

(iv) Ashpit doors and frames.

(v) Poker.

(vi) Ash hoe.

(vii) Clinker tongs.

(viii) Smokehood, with check control.

(ix) Special combination grates.

(9) "Special combination grates" means the combination units for which maximum prices are established in § 1346.159.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1346.170 *Effective date.* This Revised Maximum Price Regulation No. 236 (§§ 1346.151 to 1346.170, inclusive) shall become effective November 26, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12500; Filed, November 26, 1942; 1:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 249,¹ Amendment 1]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT WHOLESALE

Mincemeat.
Plum pudding.
Fig pudding.
Date pudding.
Christmas cookies.
Fruit cake.
Holiday candy.
Chocolate covered cherries.
Sweet apple cider.
Glaced or candied fruits and peels.
Stuffed dried fruits.
Dried figs.
Pure sorghum syrup.
Pitted and macerated dates and date products.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

New §§ 1351.766 and 1351.763a are added as set forth below:

§ 1351.766 *Wholesale maximum prices for fruit cake to be and remain as specified under Supplementary Regulation No. 14² to the General Maximum Price Regulation until January 15, 1943.* Sellers of fruit cake at wholesale shall calculate their maximum prices under § 1499.73 (a) (2) of Supplementary Regulation No. 14 to the General Maximum Price Regulation until and including January 15, 1943. Thereafter such sellers shall

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 8702.

² 7 F.R. 5709, 5486, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397 9391.

calculate their maximum prices under this Maximum Price Regulation No. 249.

§ 1351.763a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1351.766 and 1351.763(a)) to Maximum Price Regulation No. 249 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12508; Filed, November 26, 1942; 1:18 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 250,¹ Amendment 1]

SALES OF CERTAIN SEASONAL FOOD PRODUCTS AT RETAIL

Mincemeat.
Plum pudding.
Fig pudding.
Date pudding.
Christmas cookies.
Fruit cake.
Holiday candy.
Chocolate covered cherries.
Sweet apple cider.
Glaced or candied fruits and peels.
Stuffed dried fruits.
Dried figs.
Pure sorghum syrup.
Pitted and macerated dates and date products.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

New §§ 1351.866 and 1351.864a are added as set forth below:

§ 1351.866 *Retail maximum prices for fruit cake to be and remain as specified under Supplementary Regulation No. 14² to the General Maximum Price Regulation until January 15, 1943.* Sellers of fruit cake at retail shall calculate their maximum prices under § 1499.73 (a) (2) of Supplementary Regulation No. 14 to the General Maximum Price Regulation until and including January 15, 1943. Thereafter such sellers shall calculate their maximum prices under this Maximum Price Regulation No. 250.

§ 1351.864a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1351.866 and 1351.864a) to Maximum Price Regulation No. 250 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12509; Filed, November 26, 1942; 1:18 p. m.]

¹ 7 F.R. 8705.

PART 1360—MOTOR VEHICLES AND MOTOR
VEHICLE EQUIPMENT

[RPS 85, Amendment 7]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this Amendment has been prepared and filed with the Division of the Federal Register.* A new § 1360.52a is added as set forth below:

§ 1360.52a *Extension of time for performance of maintenance operations.* (a) Notwithstanding any other provision of § 1360.51 or § 1360.52, the time for the performance of any maintenance operation or operations set forth in § 1360.51 or § 1360.52 may be extended to a date not later than December 31, 1942 when satisfactory evidence has been furnished the Office of Price Administration, in accordance with paragraph (b) below, showing that one or more of the following conditions exist:

(1) That there is, in the locality in which the new passenger automobile is to be stored, a shortage of indoor storage facilities; or

(2) That there is, in the locality in which the new passenger automobile is stored, a shortage in the supply of a commodity necessary in the performance of any of the specified maintenance operations; or

(3) That there is, in the locality in which the new passenger automobile is stored, a shortage of mechanics to perform the specified maintenance operations.

(b) If any person desires such an extension of time under the circumstances set forth in the preceding paragraph, a report shall be filed with the Office of Price Administration, Washington, D. C., containing a detailed statement of the facts making such extension of time necessary and the requested date thereof, which shall in no event be later than December 31, 1942. If the Office of Price Administration approves the extension of time, or fails to disapprove it within ten days after receiving such report, the date of the extension sought shall be substituted for October 31, 1942 throughout § 1360.51 or § 1360.52, as the case may be.

§ 1360.60a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§ 1360.52a) shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26 day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12506; Filed, November 26, 1942;
1:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹⁷ F. R. 664, 1009, 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948.

No. 233—6

PART 1390—MACHINERY AND TRANSPORTA-
TION EQUIPMENT

[MPR 136, as Amended, Amendment 58]

MACHINES AND PARTS AND MACHINERY
SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1390.2 new paragraph (m) is added, and subparagraph (9) of paragraph (c) of § 1390.25 is amended and redesignated paragraph (n) of § 1390.2, all as set forth below:

§ 1390.2 *Exclusions.* * * *

(m) Any sale or delivery to an agency of the United States of any complete plant for the manufacture of rubber tires.

(n) Any sale by any distiller to the Defense Plant Corporation of any still or fractionating column, or part thereof, installed or held as spare operating equipment.

§ 1390.31a *Effective dates of amendments.* * * *

(ggg) Amendment No. 58 (§§ 1390.2 (m) (n) and 1390.25 (c) (9)) to Maximum Price Regulation No. 136, as amended, shall become effective November 26, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12510; Filed, November 26, 1942;
1:18 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD
PRODUCTS

[Ration Order 3, Amendment 26]

SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

New paragraphs, (d) and (e), are added to § 1407.87, and § 1407.241, Schedule A, Table VI, is amended as set forth below:

Institutional and industrial users

§ 1407.87 *Provisional allowance.*

(d) Notwithstanding the terms of paragraph (c) of this section, a register-

¹⁷ F. R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054.

²⁷ F. R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557.

ing unit entitled to a provisional allowance for a calendar year for feeding bees may, at any time during such calendar year, make application for such provisional allowance or any part thereof.

(e) A registering unit may, during the year 1942, obtain an advance on future provisional allowances for feeding bees if: (1) it has obtained its full 1942 provisional allowance for such purpose; and (2) the unused part of such provisional allowance, in addition to the honey in each colony, will be insufficient to feed the bees in that colony until they begin to produce honey in 1943. The total amount of the advances which may be obtained by a registering unit pursuant to this paragraph shall not exceed 15 pounds for each colony. The amounts advanced shall be deducted from the registering unit's 1943 provisional allowance for feeding bees; provided, that if an amount in excess of 10 pounds per colony is advanced, such excess shall be deducted from the registering unit's 1944 provisional allowance for feeding bees. Application for an advance shall be made to the Board on OPA Form No. R-315. The application shall establish compliance with the requirements of this paragraph, state that if the application is granted with respect to any colony, the registering unit will not remove honey from that colony until the bees in that colony begin to produce honey in 1943, and include such other information as the Board may require.

Schedules

§ 1407.241 *Schedule A: Table of sugar allowance per unit of product for determination of provisional allowance.*

TABLE VI—BEE FEEDING

The provisional allowance for feeding bees shall be 10 pounds per calendar year for each colony of bees. For the purposes of this Table, the period from April 28 to December 31, 1942, shall be deemed to be a full calendar year.

Effective date

§ 1407.222 *Effective dates of amendments.* * * *

(aa) Amendment No. 26 (paragraphs (d) and (e) of § 1407.87, and § 1407.241, Schedule A, Table VI) shall become effective December 2, 1942.

(Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12517; Filed, November 26, 1942;
1:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 65 to Supp. Reg. 14¹ to GMPR²]

VANILLA BEANS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new inferior subdivision (d) is added to § 1499.73 (a) (31) (i), as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(31) *Vanilla beans—(i) Maximum prices.*

(d) Premiums shall be allowed on small quantity sales of 50 pounds or less as follows:

(1) A primary dealer may add 1% to the maximum price for beans established in subdivision (1) of subparagraph (31) on all sales of quantities of 50 pounds or less. "Primary dealer" means a person who buys for shipment from a producing country or one who acts as consignee or agent of a foreign shipper.

(2) A person other than a primary dealer may add 10% to the maximum price established by subdivision (1) of subparagraph (31) on all sales of quantities of 50 pounds or less.

(b) *Effective dates.* * * *

(66) Amendment No. 65 (§ 1499.73 (a) (31)) to Supplementary Regulation No. 14 shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12518; Filed, November 26, 1942; 1:13 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6965, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7538, 7535, 7536, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 5738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 1004, 8942, 9435, 9615, 9616.

PART 1499—COMMODITIES AND SERVICES

[Amendment 66 to Supp. Reg. 14¹ to GMPR²]

FRUIT CAKE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

A new subdivision (iv) is added to subparagraph (2) of § 1499.73 (a) as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(2) *Fruit cake.* * * *

(iv) *Termination date of subdivision (ii) of subparagraph (2) of § 1499.73*

(a)—*Sales by others than producers of fruit cake.* On January 15, 1943, sellers other than producers of fruit cake shall cease to calculate their maximum prices under Supplementary Regulation No. 14 to the General Maximum Price Regulation. Thereafter, wholesalers of fruit cake shall calculate their maximum prices under Maximum Price Regulation No. 249,³ and retailers of fruit cake shall calculate their maximum prices under Maximum Price Regulation No. 250.⁴

(b) *Effective dates of amendments.* * * *

(67) Amendment No. (66) (§ 1499.73 (a) (2) (iv)) to Supplementary Regulation No. 14 to General Maximum Price Regulation shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12519; Filed, November 26, 1942; 1:16 p. m.]

¹ 7 F.R. 5486, 5709, 6008, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435.

³ 7 F.R. 8702.

⁴ 7 F.R. 8705.

PART 1499—COMMODITIES AND SERVICES

[Amendment 67 to Supp. Reg. 14¹ to GMPR]

NEW COMMERCIAL MOTOR VEHICLES

A statement of the considerations involved in the issuance of this Amendment has been prepared and filed with the Division of the Federal Register.*

In § 1499.73 (a) (19) subdivision (iii) is redesignated (iv) and new subdivision (iii) is added as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided:

(19) *New commercial motor vehicles:*

(iii) *Extension of time for performance of maintenance operations.* (a) Notwithstanding any other provision of this subparagraph (19), the time for the performance of any maintenance operation or operations set forth in the preceding subdivision (ii) may be extended to a date not later than December 31, 1942 when satisfactory evidence has been furnished the Office of Price Administration, in accordance with inferior subdivision (b) below, showing that one or more of the following conditions exist:

(1) That there is, in the locality in which the new commercial motor vehicle is to be stored, a shortage of indoor storage facilities; or

(2) That there is, in the locality in which the new commercial motor vehicle is stored, a shortage in the supply of a commodity necessary in the performance of any of the specified maintenance operations; or

(3) That there is, in the locality in which the new commercial motor vehicle is stored, a shortage of mechanics to perform the specified maintenance operations.

(b) *Reports.* If any person desires such an extension of time under the circumstances set forth in the preceding inferior subdivision (a), a report shall be filed with the Office of Price Administration, Washington, D.C., containing a detailed statement of the facts making such extension of time necessary and the requested date thereof, which shall in no event be later than December 31, 1942.

(c) *Approval of extension.* If the Office of Price Administration approves

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358.

the requested extension of time, or fails to disapprove it within ten days after receiving such report, the date of the extension sought shall be substituted for October 31, 1942, throughout this subparagraph (19).

(b) *Effective date.* * * * 68 Amendment No. 67 (§ 1499.73 (a) (19) (iii) and (iv)) to Supplementary Regulation No. 14 to General Maximum Price Regulation shall become effective December 2, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12507; Filed, November 26, 1942;
1:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 68 to Supp. Reg. 14¹ to GMPR²]

SEMIFABRICATED ARTICLES OF SILVER, ETC.

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1499.73 (a) (12) (ii) (b) is amended as set forth below:

§ 1499.73 *Modification of maximum prices established by section 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* * * *

- (a) * * *
(12) * * *
(ii) * * *

(b) The term "semifabricated article" refers to newly-mined domestic silver which has been melted, smelted or refined, and further processed, or combined with other materials, by alloying, machining, rolling, drawing, turning, blanking, slitting, cutting, spinning, remelting, recasting, or other similar process, or by being subjected to special refining processes, and which is in such state or condition that its value depends primarily upon the metallic silver content and not upon its form. The term includes, but is not restricted to, silver alloys, grain, shot, powder, wire, sheet, blanks, circles, solders, brazing alloys, sintered products, silver-clad metals, silver inlays, and bar silver in weights or degrees of fineness

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 7011, 7012, 5965, 7250, 7289, 7203, 7365, 7401, 7400, 7453, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8653, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9639.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4437, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6053, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616.

different from the weight and fineness of standard commercial bars; it excludes, but without limitation, standard commercial bar silver and any article, other than those specifically referred to herein, which is suitable for ultimate use without further processing or combination with other materials.

The term shall also include sheet, wire and tubing of rolled gold plate or gold-filled stock, consisting of fine or carat gold on a silver alloy base, notwithstanding the fact that the value thereof may not be primarily dependent upon the silver content.

(b) *Effective dates.* * * *

(69) Amendment No. 68 to Supplementary Regulation No. 14 (§ 1499.73 (a) (12) (ii) (b)) shall be effective as of September 3, 1942.

(Pub. Law 421, 77th Cong.; Pub. Law 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12511; Filed, November 26, 1942;
1:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 119 Under § 1499.18 (b) of GMPR]

J. O. TUCK & CO.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered:

§ 1499.1020 *Adjustment of maximum prices for mill run, kiln-dried, pine keg heading manufactured and sold by J. O. Tuck & Company, Mosley, Virginia.* (a) J. O. Tuck & Company may sell and deliver, and any person may buy from said company, mill run, kiln-dried, pine keg heading at prices not higher than the following prices per thousand sets of heading, f. o. b. Sparrows Point, Maryland:

9½"	Heading-----	\$44.50
10¼"	Heading-----	46.50
11¼"	Heading-----	51.00
12"	Heading-----	53.00

(b) All prayers of the applicant not granted herein are denied.

(c) This Order No. 119 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 119 (§ 1499.1020) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 119 (§ 1499.1020) shall become effective November 27, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12505; Filed, November 26, 1942;
1:15 p. m.]

TITLE 46—SHIPPING

Chapter I—Bureau of Customs

[T.D. 50773]

PART 1—DOCUMENTATION OF VESSELS

REVOCATION OF DESIGNATION OF CORDOVA, ALASKA, AS A PORT OF DOCUMENTATION

Section 1.1, Part 1, Title 46, Code of Federal Regulations, is hereby amended in the following respect: The designation of Cordova, Alaska, as a port of documentation is revoked effective December 5, 1942, and the word "Cordova" as it appears under "Alaska (31)" is deleted from the section. The port of Juneau, Alaska, will thereafter be the home port of all vessels whose home port is Cordova, Alaska, on the effective date of the revocation of the designation of that port as a port of documentation.

If the owner of any vessel desires to designate a port other than Juneau as the home port of that vessel, the approval of the Commissioner of Customs shall be obtained.

(R.S. 161, Secs. 2, 3, 23 Stat. 118, 119; 5 U.S.C. 22, 46 U.S.C. 2, 3)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: November 24, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-12490; Filed, November 26, 1942;
10:49 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 11—STEAM ROADS: CONDENSED CLASSIFICATION OF OPERATION EXPENSES OF SMALL CARRIERS

CLASS II AND CLASS III STEAM ROADS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 10th day of November, A. D. 1942.

The matter of a condensed classification of operating expenses for the use of small carriers hereinafter defined, being under consideration by the Division pursuant to the authority of section 20 of the Interstate Commerce Act, and upon consideration of the matters and things involved, the Division having found that the Condensed Classification of Operating Expenses for Class II and Class III Steam Roads, Second Revised Issue, 1943, hereto attached and made a part hereof,¹ is necessary for the purposes of administration of the provisions of Part I of the Act. It is ordered:

¹ Filed as part of the original document.

(1) *Small carriers defined.* For the purpose of accounting for operating expenses small carriers operating steam roads shall be defined as follows:

(1) Class II having annual operating revenues of \$100,000 to \$1,000,000.

(2) Class III having annual operating revenues below \$100,000.

(2) *Condensed classification of operating expenses prescribed.* Every small carrier as defined herein, operating a steam road subject to the provisions of the Interstate Commerce Act, and every trustee, executor, administrator, or assignee of any such carrier are hereby required to comply with the Condensed Classification of Operating Expenses for Class II and Class III Steam Roads, Second Revised Issue, 1943.

(3) *Applicability of the provisions in the classification of operating expenses embraced in the Classification of Operating Revenues and Operating Expenses of Steam Roads, Issue of 1914, prescribed under order of May 19, 1914, as amended.* All the provisions contained in the said order of May 19, 1914, as amended, and all rules prescribed by that order for the keeping and recording of operating expense accounts as expressed in the text of the primary accounts contained in said Issue of 1914 shall apply to small carriers, excepting only that small carriers are, by virtue of this order, authorized to reduce the number of primary accounts kept by them.

(4) *Effective date.* The Condensed Classification of Operating Expenses for Class II and Class III Steam Roads, Second Revised Issue, 1943, shall become effective on January 1, 1943.

(5) *Service.* A copy of this order and the Condensed Classification of Operating Expenses for Class II and Class III Steam Roads, Second Revised Issue, 1943, herein prescribed shall be served upon every such carrier subject to the act and upon every trustee, executor, administrator, or assignee of any such carrier and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C.

(6) *Cancellation of previous order.* This order cancels the order of April 7, 1936, in the matter of a Condensed Classification of Operating Expenses of Steam Roads, sometimes referred to as First Revised Issue, effective on January 1, 1936.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-12546; Filed, November 27, 1942;
11:17 a. m.]

[Ex Parte No. 147]

Subchapter C—Carriers by Water

PART 315—EXEMPTION OF CONTRACT
CARRIERS

TOWAGE OF LOGS AND PILING IN RAFTS

At a session of the Interstate Commerce Commission, Division 4, held at

its office in Washington, D. C., on the 16th day of November, A. D. 1942.

It appearing that by its order entered on October 29, 1941, division 4 found that numerous carriers by water are engaged, among other things, in the towing of floating objects, including logs and piling in rafts which are not designed or used for the carrying of passengers and property; that because of the inherent nature of the commodities transported, or their requirement of special equipment, such transportation is not actually and substantially competitive with transportation by any common carrier subject to part I, II or III of the Interstate Commerce Act; and that carriers engaged in such transportation under individual agreements or contracts are contract carriers by water;

It further appearing that by said order the division ordered that the transportation of the said floating objects, including logs and piling in rafts be exempted from the requirements of part III of the act until further order of the Commission;

It further appearing that upon petition filed by certain water carriers engaged in the towing of logs and piling in rafts on the lower Columbia and Willamette rivers, and their tributaries, and for good cause shown, the division by its further order dated December 3, 1941, postponed the exemption of the transportation by contract carriers by water of floating objects consisting of logs and piling in rafts until the further order of the Commission.

And it further appearing that a hearing has been held and a full investigation of the matters and things involved has been made, and said division, on the date hereof, has made and filed a report containing its findings of fact and conclusions thereon, which report is hereby referred to and made a part hereof:

It is ordered, That § 315.2 (order of October 29, 1941, as amended December 3, 1941) is vacated and set aside insofar as it applies to the towage of logs and piling in rafts, and to read as follows:

§ 315.2 *Towage of floating objects.* Transportation by contract carriers of empty vessels to and from shipyards, floating objects such as derricks, dredges, tanks, caissons, pontoons, and other floating objects, other than logs and piling in rafts, of varying shapes, sizes, and drafts which are not designed or used for the carrying of passengers and property, is hereby exempted from the requirements of part III of the Interstate Commerce Act until the further order of the Commission. (Sec. 303 (e), 54 Stat. L. 932; 49 U.S.C. 903)

And it is further ordered, That this order shall take effect and be in force from and after February 9, 1943.

By the Commission, Division 4.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-12537; Filed, November 27, 1942;
11:18 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-292]

RIDGWAY COAL COMPANY

NOTICE OF FILING OF APPLICATION FOR DISPOSITION OF COMPLIANCE PROCEEDINGS WITHOUT FORMAL HEARING

In the matter of John H. Ridgway, doing business under the name and style of Ridgway Coal Company, Code Member.

Notice is hereby given that an application, dated October 22, 1942, for formal hearing was filed with the Bituminous Coal Division (the "Division") on October 27, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure Before the Bituminous Coal Division by the Ridgway Coal Company, the above-named Code Member (the "Code Member.")

1. In said application the Code Member admits having committed violations of the Bituminous Coal Code and the effective minimum prices established thereunder, as alleged in the complaint, as follows:

(a) By failing to file with the Statistical Bureau for District No. 4, for each month from and including January 1941 to and including June 1942, a report of all sales made during each of said months of coal produced at his Buckeye Mine, Mine Index No. 1803, and Ridgway Mine, Mine Index No. 1804, both located in Tuscarawas County, Ohio, District No. 4, which coal was shipped from said mines by truck to various purchasers, and by failing to file with said Statistical Bureau for said period copies of truck tickets, sales slips, invoices and listings of said sales, as required by Division Orders Nos. 156, 307 and 309, dated January 18, 1937, December 11, 1940, and January 14, 1941, respectively.

2. In said application, the Code Member also states that to the best of its knowledge and belief it has not committed any other violation of the Act, the Code or regulations thereunder, either before or after the admitted violations referred to hereinabove.

3. In said application, Code Member consents, upon the basis of the above-mentioned admitted violations, to the entry of an Order cancelling and revoking its Code membership, or of an Order directing it to cease and desist from further violations of the Act, the Code and the regulations thereunder, or to the entry of an Order revoking its Code membership and also to enjoining and restraining the Code Member from further violations of the Act, the Code and the regulations thereunder upon any restoration of his Code membership.

All interested parties desiring to do so may file with the Division within fifteen (15) days from the date of this notice recommendations or requests for infor-

mal conference in respect to such application.

Dated: November 24, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12466; Filed, November 25, 1942;
2:09 p. m.]

[Docket Nos. B-328, 1717-FD]

SHELBY COAL COMPANY

ORDER POSTPONING HEARINGS

In the matter of Shelby Coal Company, Inc., registered distributor, Registration No. 8320, and W. K. Jenne, an individual doing business under the name and style of Shelby Coal Co., registered distributor, Registration No. 4797; W. K. Jenne, an individual doing business under the name and style of Shelby Coal Co., (W. K. Jenne), registered distributor, Registration No. 4797.

The above-entitled matters having been heretofore scheduled for hearings at 10 a. m. on November 30, 1942, at a hearing room of the Bituminous Coal Division at the Cabell County Court House, Huntington, West Virginia; and The Director deeming it advisable that said hearings would be postponed;

Now, therefore, it is ordered, That the said hearings in the above-entitled matters be, and the same hereby are, postponed to a date and place to be hereafter determined by appropriate order.

Dated: November 24, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12467; Filed, November 25, 1942;
2:09 p. m.]

[Docket No. 1620-FD]

TWIN ELM COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint having been filed herein on March 17, 1941, by the Bituminous Coal Producers Board for District No. 12 as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by the Twin Elm Coal Company, Bussey, Iowa, code member in District No. 12, of the Bituminous Coal Act of 1937 (the "Act"), of the Bituminous Coal Code (the "Code"), and rules and regulations thereunder; and

An Order having been issued herein on August 27, 1941, revoking and cancelling the code membership of H. M. Webb, George Ethel, Sr., and George Ethel, Jr., individually and as partners doing business under the name and style of Twin Elm Coal Company, a partnership; and

Said Order of Cancellation and Revocation having been duly served on September 8, 1941, on said code member; and

H. M. Webb, individually and as a partner having duly filed with this Division, as provided in section 5 (c) of the Act, an application for restoration to

code membership of H. M. Webb, George Ethel, Sr., and George Ethel, Jr., individually and as partners doing business under the name and style of Twin Elm Coal Company, to become effective simultaneously with the effective date of said cancellation and revocation of his code membership; and

It appearing from said application that said H. M. Webb, on behalf of the code member has paid to the Collector of Internal Revenue at Des Moines, Iowa, on November 19, 1941, the sum of \$148.59, pursuant to said order dated August 27, 1941, as a condition precedent to the restoration of his code membership;

Now, therefore, it is ordered, That said application for restoration to code membership of H. M. Webb, George Ethel, Sr., and George Ethel, Jr., individually and as partners doing business under the name and style of Twin Elm Coal Company be, and it hereby is, granted.

It is further ordered, That the said restoration of the code membership of H. M. Webb, George Ethel, Sr., and George Ethel, Jr., individually and as partners doing business under the name and style of Twin Elm Coal Company, be effective as of the effective date of said cancellation and revocation of code membership.

Dated: November 25, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12535; Filed, November 27, 1942;
10:36 a. m.]

[Docket No. A-1758]

ATLAS ENGINEERING CO.

ORDER GRANTING RELIEF

In the matter of the petition of Atlas Engineering Company, a code member in District 6, for permission to sell 15 cars of mine run coal produced at its Roberta Mine (Mine Index No. 206) at less than the applicable minimum price.

On November 23, 1942, the Atlas Engineering Company, a code member producer in District 6, filed a petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, with this Division requesting permission to sell 15 cars of distressed mine run coal at less than the applicable minimum price therefor. It is stated that the cars were shipped on November 7, 1942, on order of the Pennsylvania Railroad, but were returned to the siding upon refusal of the Pennsylvania Railroad to accept the coal. The petition states that the coal is first cut coal and contains too much slack to meet the mine run specifications of the Pennsylvania Railroad. Petitioner further states that every effort has been made to dispose of this coal at not less than the applicable minimum price for mine run coal, but without success; that the cars are now and have been since November 7, 1942, lying on the Atlas siding of the West Virginia-Pittsburgh Coal Company at Locust Grove siding, Colliers, West Virginia; and that the delay in moving this coal has resulted in a loss of several thousand dollars in that it has prevented petitioner from shipping any coal by rail in the interim. Petitioner

requests that an order be issued giving it permission to sell this coal at a price lower than the applicable minimum price for mine run coal.

In a telegram dated November 19, 1942, petitioner indicated that this coal must be offered at the effective minimum price for 2" nut and slack if it is to be sold. In a communication dated November 19, 1942, District Board No. 6 stated that the coal has been inspected and that it is equivalent to a 2" x 0 coal and recommended that this producer be given permission to dispose of it at the Size Group 10 price or at any price the producer can get.

In view of the above stated circumstances, it appears that an adequate showing of necessity has been made for the granting of the relief stated herein-after. No petitions of intervention, other than the communication received from District Board No. 6, have been filed by any party and the following action is deemed necessary in order to effectuate the purposes of the Act.

Now, therefore, it is ordered, That the petition of Atlas Engineering Company in the above-entitled matter is granted and permission is given to petitioner to dispose of the following cars of coal now located on the tracks of the Atlas siding of the West Virginia-Pittsburgh Coal Company at Locust Grove siding, Colliers, West Virginia, at a price not less than the effective minimum price for Size Group No. 10 for rail shipment:

PRR 193455	PRR 412349	PRR 705965
PRR 190182	PRR 256664	PRR 167183
PRR 727438	PRR 186432	PRR 730019
PRR 747126	PRR 136031	PRR 196131
PRR 745280	PRR 146835	PRR 704278

It is further ordered, That the petitioner shall notify the Division and file a report indicating the name and address of the purchaser or purchasers and the price or prices at which the 15 cars of coal were sold within ten (10) days after said sale, which report shall become part of this docket.

Dated: November 25, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-12536; Filed, November 27, 1942;
10:37 a. m.]

[Docket No. A-1212]

DISTRICT BOARD 11

ORDER ADVANCING RESUMPTION OF HEARING

In the matter of the petition of District Board No. 11 for revision of the schedules of minimum prices applicable to coals shipped from District No. 9 and District No. 11 to Charlestown and Speeds, Indiana, Market Area No. 31, for a recoordination of the delivered price relationships of such coals at said destinations, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The hearing in the above-entitled matter having been heretofore scheduled to be resumed on December 10, 1942, and it appearing appropriate that the resumption of the said hearing be advanced to December 9, 1942:

Now, therefore, it is ordered, That the resumption of the hearing in the above-

entitled matter be and it hereby is advanced from 10 o'clock in the forenoon of December 10, 1942, until 10 o'clock in the forenoon of December 9, 1942, at the place and before the officers heretofore designated.

Dated: November 24, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-12533; Filed, November 27, 1942;
10:36 a. m.]

[Docket No. D-15]

SHELBY COAL CO., INC., AND SHELBY COAL CO.

ORDER REVOKING REGISTRATIONS

In the matter of proceedings to determine if certain registered distributors are bona fide merchants actively, regularly and continuously engaged in the business of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the rules and regulations for the registration of distributors; and for the revocation of the registration of distributors who are not so engaged.

Order revoking registrations of Shelby Coal Company, Inc., and Shelby Coal Co. (W. K. Jenne).

The Bituminous Coal Division, on February 18, 1942, having issued, in the above-entitled matter, an order to show cause why the registration of the registered distributors named therein should not be revoked on the grounds that such registrants were not actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors; and

Said order having provided that the failure of any such named distributor to file an answer to said order to show cause, as required by the order, may be deemed to be an admission that the person so failing to file is not actively, regularly, and continuously engaged as a distributor, and an order revoking the registration of such person may be entered; and

It appearing that Shelby Coal Company, Inc., Box 253, Pikeville, Kentucky, Registration No. 8320, and Shelby Coal Co. (W. K. Jenne), Pikeville, Kentucky, Registration No. 4797, failed to file answers to said Order to Show Cause;

Now, therefore, it is ordered, That the registrations of Shelby Coal Company, Inc., Box 253, Pikeville, Kentucky, Registration No. 8320, and Shelby Coal Co. (W. K. Jenne), Pikeville, Kentucky, Registration No. 4797, be and the same are hereby revoked.

Dated: November 25, 1942.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 42-12534; Filed, November 27, 1942;
10:36 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

GREATER KANSAS CITY MARKETING AREA

EXTENSION OF TIME FOR FILING EXCEPTIONS

Extension of time for filing exceptions to the report of the Administrator, Agricultural Marketing Administration, with respect to a proposed marketing agreement, as amended, and marketing order, as amended, regulating the handling of milk in the Greater Kansas City Marketing Area.

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR 900.1 to 900.17; 6 F.R. 6571; 7 F.R. 3350), and upon the request of interested persons, the time for filing exceptions to the report of the Administrator, Agricultural Marketing Administration, with respect to a proposed marketing agreement, as amended, and a proposed marketing order, as amended, regulating the handling of milk in the Greater Kansas City marketing area, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), which was filed on November 10, 1942, with the hearing clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., is hereby extended from November 23, 1942, to December 3, 1942.

The aforesaid report of the Administrator, Agricultural Marketing Administration, was published in the FEDERAL REGISTER on November 13, 1942 (7 F.R. 9350). Copies of the said report may be secured from the hearing clerk, Office of the Solicitor, Room 1327 South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

C. W. KITCHEN,
Acting Administrator.

NOVEMBER 24, 1942.

[F. R. Doc. 42-12479; Filed, November 25, 1942;
3:16 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 335]

EASTERN AIR LINES, INC.

NOTICE OF FURTHER ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, being paid to Eastern Air Lines, Inc.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that further argument is assigned to be held on December 4, 1942, 10 a. m. (eastern war time) in Room 5042

Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated: Washington, D. C., November 25, 1942.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 42-12539; Filed, November 27, 1942;
11:25 a. m.]

[Docket Nos. 373 and 497]

PAN AMERICAN AIRWAYS, INC., AND AMERICAN EXPORT AIRLINES, INC.

NOTICE OF ORAL ARGUMENT

In the matter of the applications of Pan American Airways, Inc., and American Export Airlines, Inc., for certificates of public convenience and necessity authorizing air transportation from New Orleans to Cuba and Central America.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is assigned to be held on December 9, 1942, 10 a. m. (eastern standard time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated: Washington, D. C., November 25, 1942.

By the Civil Aeronautics Board.

[SEAL]

F. A. TOOMBS,
Acting Secretary.

[F. R. Doc. 42-12540; Filed, November 27, 1942;
11:25 a. m.]

[Docket No. 770]

ALL AMERICAN AVIATION, INC.

NOTICE OF HEARING

In the matter of the application of All American Aviation, Inc., for amendment of its existing certificate of public convenience and necessity to include Nitro, West Virginia, as an intermediate point between Charleston, W. Va., and Hurricane, W. Va., on Route No. 49-A.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned to be held on December 3, 1942, 10 a. m. (eastern war time) in Conference Room 1, Department of Commerce Auditorium, 14th Street and Constitution Avenue, N.W., Washington, D. C., before Examiner Ross I. Newmann.

Dated: Washington, D. C., November 25, 1942.

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 42-12538; Filed, November 27, 1942;
11:25 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-433]

INDEPENDENT NATURAL GAS COMPANY

ORDER FIXING DATE FOR HEARING AND SUSPENDING SUPPLEMENTAL RATE SCHEDULE

NOVEMBER 24, 1942.

It appearing to the Commission that:

(a) Independent Natural Gas Company has on file a rate schedule designated in the files of the Commission as Independent Natural Gas Company Rate Schedule FPC No. 2 and Exhibit A thereto, providing for the sale of natural gas to Arkansas Louisiana Gas Company for resale for ultimate public consumption;

(b) On October 26, 1942, Independent Natural Gas Company filed with the Commission a rate schedule designated Supplement No. 1 to Independent Natural Gas Company Rate Schedule FPC No. 2, providing for increased rates or charges for the sale of natural gas to Arkansas Louisiana Gas Company;

(c) Unless suspended by order of the Commission, Supplement No. 1 to Independent Natural Gas Company Rate Schedule FPC No. 2 will become effective as of November 26, 1942, pursuant to the provisions of the Natural Gas Act and the Provisional Rules of Practice and Regulations thereunder;

(d) In purported justification of the proposed increased rates or charges, Independent Natural Gas Company stated that it must make a substantial additional investment and will incur additional expense in order to supply the increased volumes of natural gas provided for in the aforesaid supplemental rate schedule, and it was further stated that Independent Natural Gas Company must pay increased amounts to Phillips Petroleum Company for the purchase of the natural gas which it sells to Arkansas Louisiana Gas Company;

(e) Independent Natural Gas Company is a subsidiary of and is controlled by Phillips Petroleum Company;

(f) The schedule of increased rates or charges contained in Supplement No. 1 to Independent Natural Gas Company Rate Schedule FPC No. 2 may result in excessive rates or charges to Arkansas Louisiana Gas Company or place an undue burden upon ultimate consumers of natural gas; and the proposed increased rates or charges have not been shown to be justified;

The Commission finds that:

It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates or charges and that said proposed increased rates or charges be suspended pending such hearing and decision thereon.

The Commission, upon its own motion, orders that:

(A) A public hearing be held on January 12, 1943, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness of the rates or charges, subject to the jurisdiction of the Commission, contained in Supplement No. 1 to Independent Natural Gas Company Rate Schedule FPC No. 2 for the sale of natural gas to Arkansas Louisiana Gas Company for resale for ultimate public consumption;

(B) Pending such hearing and decision thereon, Supplement No. 1 to Independent Natural Gas Company Rate Schedule FPC No. 2, in so far as it provides for increased rates or charges other than for the sale of natural gas for resale for industrial use only, be and it hereby is suspended until April 26, 1943, or until such time thereafter as such increased rates or charges shall be made effective in the manner prescribed by the Natural Gas Act;

(C) During the period of suspension, the rates or charges collected and received by Independent Natural Gas Company from Arkansas Louisiana Gas Company, as provided in Independent Natural Gas Company Rate Schedule FPC No. 2 and Exhibit A thereto, except in so far as they may be for the sale of natural gas for resale for industrial use only, shall remain and continue in full force and effect;

(D) At the hearing, the burden of proof to show that the proposed increased rates or charges are just and reasonable shall be upon the Independent Natural Gas Company;

(E) Interested State commissions may participate in said hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 42-12530; Filed, November 27, 1942;
9:38 a. m.]

[Docket No. G-141]

CITIES SERVICE GAS COMPANY

ORDER AMENDING ORDER FIXING DATE OF HEARING

NOVEMBER 25, 1942.

It appearing to the Commission that:

(a) By its order dated October 13, 1942, the Commission ordered that a public hearing in the above-entitled matter be held commencing on November 30, 1942, at 10 o'clock a. m., in the Federal Building, Kansas City, Missouri;

(b) It has been found desirable to specify more particularly the place for the said hearing in the City of Kansas City, Missouri;

The Commission orders that:

(A) The public hearing in the above-entitled proceeding now set to begin on November 30, 1942, at 10 o'clock a. m., in the Federal Building, Kansas City, Missouri, be held commencing on November 30, 1942, at 10 o'clock a. m., in Room 664, United States Court House, Kansas City, Missouri;

(B) The Commission's order of October 13, 1942, be and the same is hereby amended to the extent, and only to the extent, indicated by paragraph (A) above.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 42-12531; Filed, November 27, 1942;
9:38 a. m.]

OFFICE OF PRICE ADMINISTRATION

[RPS 64, Order 39]

LEONARD & BAKER STOVE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 39 to Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On October 1, 1942, Leonard & Baker Stove Company, Taunton, Massachusetts, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of the maximum price on one new model combination (dual oven) gas and coal range, designated in the application as Model 1906A.

Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and under Executive Order No. 9250, *It is hereby ordered:*

(a) Leonard & Baker Stove Company, may sell, offer to sell, deliver, or transfer the following model at a price no higher than that specified:

Model No. 1906A—\$101.08 f. o. b. factory to dealers.

subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model No. 1906, as established under Revised Price Schedule No. 64.

(b) This Order No. 39 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 39 shall become effective on the 25th day of November 1942.

Issued this 25th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12473; Filed, November 25, 1942;
3:09 p. m.]

[RPS 64, Order 40]

AUTOMATIC RANGE COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 40 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On August 21, 1942, Automatic Range Company, Brooklyn, N. Y., filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for a new model gas range with heat control and without heat control designated in the application as Model No. V-19.

Due consideration has been given to the application and an opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250; *It is hereby ordered:*

(a) Automatic Range Company may sell, offer to sell or deliver the following new model gas range at a price no higher than those specified:

Model No. V-19 with heat control, \$24.80
f. o. b. factory to dealers.

Model No. V-19 without heat control, \$19.77
f. o. b. factory to dealers.

subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model No. T. H.-1119.

(b) This Order No. 40 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 40 shall become effective on the 25th day of November 1942.

Issued this 25th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12474; Filed, November 25, 1942;
3:09 p. m.]

[Suspension Order 163]

LIBERTY DAIRY COMPANY

ORDER RESTRICTING TRANSACTIONS

Liberty Dairy Company, a corporation, 6212 Grandy Avenue, Detroit, Michigan, hereinafter called respondent, was duly served with a notice of specific charges of violations of Rationing Order No. 3, sugar rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held on October 14, 1942, in

Detroit, Michigan. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator, It is hereby determined that:

(a) On April 29, 1942, respondent registered for the Liberty Dairy Company, an industrial user of sugar, located at 6212 Grandy Avenue, Detroit, Michigan, and established a sugar base under Rationing Order No. 3, sugar rationing regulations, for the use of sugar for the following products: ice cream, ices, sherbets, frozen custards, other dairy products, condensed milk and cheese.

(b) Respondent has violated § 1407.82 of Rationing Order No. 3, sugar rationing regulations, in that on May 6, 1942, respondent delivered two thousand pounds (2,000) of sugar to Michael S. Abrams, an industrial user, without receiving any sugar purchase certificate therefor; such delivery was not within the class of deliveries permitted to be made without the exchange of a sugar purchase certificate by Rationing Order No. 3, sugar rationing regulations.

Because of the great scarcity and critical importance of sugar in the United States, the violation of the sugar rationing regulations by respondent resulted in the diversion of the use of sugar from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. And it appearing to the Deputy Administrator from the evidence before him that further violations of the sugar rationing regulations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 163 shall be in effect:

(1) Respondent shall not receive any allotments of sugar for ice cream, ices, sherbets and frozen custards.

(2) Respondent shall not use sugar for ice cream, ices, sherbets or frozen custards.

(d) Respondent shall forthwith surrender for cancellation to the War Price and Ration Board which issued them all sugar purchase certificates in its possession that were issued to it for the purchase of sugar for ice cream, ices, sherbets and frozen custards.

(e) Any terms used in this Suspension Order No. 163 that are defined in Rationing Order No. 3, sugar rationing regulations, shall have the meaning therein given them.

(f) This Suspension Order No. 163 shall become effective immediately and shall remain in effect until further order of the Deputy Administrator in Charge of Rationing, but not later than December 31, 1944.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562) and Supplementary Directive No. 1E (7 F.R. 2965).)

Issued and effective this 25th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
In Charge of Rationing.

[F. R. Doc. 42-12469; Filed, November 25, 1942;
3:08 p. m.]

[Suspension Order 164]

A AND H TIRE SERVICE CORPORATION AND CHARLES E. ANDERSON

ORDER RESTRICTING TRANSACTIONS

A and H Tire Service Corporation and Charles E. Anderson, 7035 Carnegie Avenue, Cleveland, Ohio, hereinafter called respondents, were duly served with a notice of specific charges of violations of revised tire rationing regulations, issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held on September 25, 1942, in Cleveland, Ohio. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator. It is hereby determined:

(a) Respondents have violated § 1315.-803 (b) (3) of revised tire rationing regulations in that between April 13, 1942, and April 23, 1942, respondents used truck type camelback as defined by specifications then established by the War Production Board to recap twenty-two (22) passenger type tires to be mounted on passenger automobiles that were not taxicabs or jitneys.

(b) Respondents have violated § 1315.-1005 of revised tire rationing regulations in that between March 1, 1942, and September 1, 1942, respondents failed to take any inventory of camelback in their possession or under their control and failed to keep a record of the amount of camelback used by them in retreading and recapping during said period.

Because of the great scarcity and critical importance of rubber in the United States, violations of the revised tire rationing regulations by respondents have resulted in the diversion of rubber from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator from the evidence before him that further violations of the tire rationing regulations by respondents are likely unless appropriate administrative action is taken, *It is therefore ordered:*

(c) During the period in which this Suspension Order No. 164 shall be in effect,

(1) Respondents shall not accept any transfers or deliveries of or in any manner directly or indirectly receive from any source any new tires, new tubes, recapped tires, retreaded tires, camelback or other recapping or retreading material.

(2) No person shall in any manner, directly or indirectly, sell, transfer or deliver any new tires, new tubes, re-

capped tires, retreaded tires, camelback or other recapping or retreading material to respondents regardless of whether such materials have been previously purchased and completely paid for.

(3) Respondents shall not directly or indirectly sell, transfer, deliver, or otherwise deal or trade in any new tires, new tubes, recapped tires, retreaded tires, camelback or other retreading or recapping material.

(4) Respondents shall not enter into any contract or commitment for the recapping or retreading of tires or recap or retread any tires or in any way use or consume any camelback or other retreading or recapping material: *Provided, however,* That if any contracts for retreading or recapping of tires have been entered into by respondents and such tires have been prepared in any degree for retreading or recapping or have been retreaded or recapped before this Suspension Order No. 164 is served upon respondents, such recapping or retreading may be completed and the retreaded or recapped tires delivered with the prior approval and under the supervision of the Regional Administrator of the Office of Price Administration for Region III.

(d) Any term used in this Suspension Order No. 164 that is defined in revised tire rationing regulations shall have the meaning therein given it.

(e) This Suspension Order No. 164 shall become effective 12:01 a. m. November 25, 1942, and unless sooner terminated, shall expire 12:01 a. m. December 10, 1942.

(Pub. Law 421, 77th Cong., sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); WPB Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925))

Issued this 25th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
In Charge of Rationing.

[F. R. Doc. 42-12470; Filed, November 25, 1942;
3:08 p. m.]

[Suspension Order 165]

THE HORN COMPANY AND S. L. HORN, JR.

ORDER RESTRICTING TRANSACTIONS

The Horn Company, a corporation, and S. L. Horn, Jr., both of 7035 Carnegie Avenue, Cleveland, Ohio, hereinafter called respondents, were duly served with a notice of specific charges of violations of revised tire rationing regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held on September 25, 1942, in Cleveland, Ohio. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. Such evidence having been considered by the Deputy Administrator, It is hereby determined that:

(a) Respondents are engaged in selling new rubber tires, casings, and tubes both to consumers and to persons who buy for purposes of resale.

(b) Respondents have violated § 1315.-1003 of revised tire rationing regulations in that, except for an inventory taken on June 19, 1942, which was admittedly incorrect, respondents failed to take between February 28, 1942, and August 1, 1942, any inventory of new tires and tubes and retreaded and recapped tires in their possession and keep a record thereof.

(c) Respondents have violated § 1315.-1003 of revised tire rationing regulations in that respondents filed an incorrect report on OPA Form R-17 which purported to set forth all the tires and tubes in their possession and control on June 30, 1942. This report was based on an inventory taken by respondents on June 19, 1942, which inventory was itself admittedly incorrect.

The foregoing violations by respondents have interfered with the effective administration and enforcement of revised tire rationing regulations in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator from the evidence before him that further violations of the tire rationing regulations by respondents are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(d) During the period in which this Suspension Order No. 165 shall be in effect,

(1) Respondents shall not accept any transfers or deliveries of or in any manner directly or indirectly receive from any source any new tires, new tubes, recapped tires, retreaded tires, camelback or other recapping or retreading material.

(2) No person shall in any manner, directly or indirectly, sell, transfer or deliver any new tires, new tubes, recapped tires, retreaded tires, camelback or other recapping or retreading material to respondents regardless of whether such materials have been previously purchased and completely paid for.

(3) Respondents shall not directly or indirectly sell, transfer, deliver, or otherwise deal or trade in any new tires, new tubes, recapped tires, retreaded tires, camelback or other retreading or recapping material.

(4) Respondents shall not enter into any contract or commitment for the recapping or retreading of tires or recap or retread any tires or in any way use or consume any camelback or other retreading or recapping material: *Provided, however,* That if any contracts for retreading or recapping of tires have been entered into by respondents and such tires have been prepared in any degree for retreading or recapping or have been retreaded or recapped before this Suspension Order No. 165 is served upon respondents, such recapping or retreading may be completed and the retreaded or recapped tires delivered with the prior approval and under the supervision of the Regional Administrator of

the Office of Price Administration for Region III.

(e) Any term used in this Suspension Order No. 165 that is defined in revised tire rationing regulations shall have the meaning therein given it.

(f) This Suspension Order No. 165 shall become effective 12:01 A. M. November 25, 1942, and unless sooner terminated, shall expire 12:01 A. M. December 10, 1942.

(Pub. Law 421, 77th Cong., Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925))

Issued this 25th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
In Charge of Rationing.

[F. R. Doc. 42-12471; Filed, November 25, 1942;
3:08 p. m.]

[Suspension Order 167]

M. A. Boggs

ORDER RESTRICTING TRANSACTIONS

M. A. Boggs, doing business as Barton Tire Shop, Barton, Ohio, herein called respondent, was duly served with a notice of specific charges of violations of revised tire rationing regulations issued by the Office of Price Administration. Pursuant to the notice a hearing upon the charges was held on August 31, 1942, in Youngstown, Ohio, and on September 3, 1942, in Wheeling, West Virginia. There appeared a representative of the Office of Price Administration and respondent. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Deputy Administrator in Charge of Rationing, It is hereby determined that:

(a) Respondent has violated revised tire rationing regulations in that on or about July 1, 1942, respondent accepted delivery of 25 pounds of camelback from a dealer in camelback without delivering in exchange therefor any portion of any certificate issued pursuant to revised tire rationing regulations.

(b) Respondent has violated revised tire rationing regulations in that between March 1, and July 18, 1942, respondent transferred and delivered 457 pounds of camelback without receiving in exchange therefor any portion of any certificate issued pursuant to revised rationing regulations.

(c) The foregoing deliveries made or received by respondent were not within any of the classes of deliveries of camelback permitted by the provisions of the revised tire rationing regulations to be made without the exchange of certificates or portions of certificates.

(d) Respondent has violated revised tire rationing regulations in that between February 28, 1942, and September 1, 1942, respondent did not take any inventory of the camelback in his possession or control or keep any record of

his total production of retreaded and recapped tires.

Because of the great scarcity and critical importance of rubber in the United States, respondent's violations of the tire rationing regulations issued by the Office of Price Administration have resulted in the diversion of rubber from military and essential civilian uses to non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Deputy Administrator in Charge of Rationing that further violations of tire rationing regulations by respondent are likely unless appropriate administrative action is taken. *It is therefore ordered:*

(e) During the period in which Suspension Order No. 167 shall be in effect,

(1) Respondent shall not accept any transfers or deliveries of or in any manner directly or indirectly receive from any source any tires or tubes of any kind, or any camelback or other recapping or retreading material.

(2) No person shall in any manner, directly or indirectly, sell, transfer or deliver any tires or tubes of any kind, or any camelback or other recapping or retreading material to respondent.

(3) Respondent shall not directly or indirectly sell, transfer, deliver, or otherwise deal or trade in any tires or tubes of any kind, or any camelback or other recapping or retreading material.

(4) Respondent shall not enter into any contract or commitment for the recapping or retreading of tires or recap or retread any tires or in any way use or consume any camelback or other recapping or retreading material: *Provided, however,* That if any contracts for retreading or recapping of tires have been entered into by respondent and such tires have been prepared in any degree for retreading or recapping or have been retreaded or recapped before this Suspension Order No. 167 is served upon respondent, such recapping or retreading may be completed and the retreaded or recapped tires delivered with the prior approval and under the supervision of the Regional Administrator of the Office of Price Administration for Region III.

(f) Any term used in this Suspension Order No. 167 that is defined in Revised Tire Rationing Regulations shall have the meaning therein given it.

(g) This Suspension Order No. 167 shall become effective November 28, 1942, and unless sooner terminated shall expire 12:01 A. M. December 28, 1942.

(Pub. Law 421, 77th Cong.; Sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Law 89, 77th Cong. and by Pub. Law 507, 77th Cong.; E.O. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 and Supplementary Directive No. 1B (7 F.R. 562, 925))

Issued this 25th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 42-12472; Filed, November 25, 1942;
3:08 p. m.]

[General Order 24]

AUTHORITY TO SIGN AND ISSUE SUBPOENAS IN RATIONING INVESTIGATIONS

DELEGATION TO REGIONAL ADMINISTRATORS

This General Order No. 24 formerly appeared as Title 32, National Defense, Chapter XI, Office of Price Administration, Part 1305, Administration, General Order No. 1,¹ § 1305.9.

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as supplemented, and by paragraph 3 of Executive Order No. 9125, the following order is prescribed:

(a) *Order delegating to Regional Administrators authority to sign and issue subpoenas in rationing investigations.*

(1) In connection with any investigation related to the administration or enforcement of the rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to that authority, the several Regional Administrators of the Office of Price Administration are each authorized within their respective Regions, to sign and issue subpoenas requiring any person to appear and testify, or to appear and produce books or records or any other documentary or physical evidence or both.

(2) The authority conferred upon the several Regional Administrators by paragraph (a) of this General Order No. 24 (§ 1305.9) shall be exercised in conformity with the provisions of subparagraph (4) of paragraph (a) of section 2 of the Act of June 28, 1940 (54 Stat. 676), as amended by the Act of May 31, 1941 (Public, No. 89, 77th Cong.) and by Title III of the Second War Powers Act, 1942 (Act of March 27, 1942, Public, No. 507, 77th Cong.)

(b) This General Order No. 24 shall be effective as of July 9, 1942.

(Pub. Law 507, 77th Cong.; E.O. 9125; W.P.B. Directive No. 1; Pub. Law 421, 77th Cong.)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12521; Filed, November 26, 1942;
1:14 p. m.]

[General Order 25]

FUNCTIONS AND POWERS RELATED TO RATIONING

FURTHER DELEGATION TO REGIONAL ADMINISTRATORS

This General Order No. 25 formerly appeared as Title 32, National Defense, Chapter XI, Office of Price Administration, Part 1305, Administration, General Order No. 2,² § 1305.11.

Pursuant to the authority conferred upon the Administrator by War Production Board Directive No. 1, as sup-

¹ 7 F.R. 5273.
² 7 F.R. 5361.

plemented, and by paragraph 3 of Executive Order No. 9125, the following order is prescribed:

(a) *Order delegating to Regional Administrators authority to administer oaths and conduct hearings in connection with rationing administration and enforcement.* (1) In connection with the administration or enforcement of the rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to that authority, the several Regional Administrators of the Office of Price Administration are each authorized, within their respective Regions, to administer oaths and affirmations, to hold and preside over hearings, to issue notices of hearing, and to exercise any discretion necessary or appropriate to the conduct of such hearings.

(2) Any power, authority, or discretion conferred by this General Order No. 25 upon any Regional Administrator may be exercised by said Regional Administrator through such officer or employee of the Office of Price Administration as said Regional Administrator may designate for that purpose.

(b) This General Order No. 25 shall be effective as of July 11, 1942.

(Pub. Law 507, 77th Cong.; E.O. 9125; W.P.B. Directive No. 1; Pub. Law 421, 77th Cong.)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12522; Filed, November 26, 1942;
1:14 p. m.]

[General Order 27]

AUTHORITY TO SEND LICENSING WARNING NOTICES

DELEGATION TO REGIONAL ADMINISTRATORS

This General Order No. 27 formerly appeared as Title 32, National Defense, Chapter XI, Office of Price Administration, Part 1305, Administration, General Order No. 3,³ § 1305.13.

Pursuant to the authority conferred upon the Price Administrator by the Emergency Price Control Act of 1942, the following order is prescribed:

(a) *Order delegating to Regional Administrators authority to send licensing warning notices.* (1) The functions, duties, powers, authority and discretion conferred upon the Price Administrator by section 205 (f) of the Emergency Price Control Act of 1942 shall be exercised by the Price Administrator through the several Regional Administrators of the Office of Price Administration, to the following extent:

(i) Each of the several Regional Administrators of the Office of Price Administration is authorized, within his Region to send a warning notice by registered mail to any person who, in the judgment of such Regional Administrator, has violated any of the provisions of

³ 7 F.R. 5480, 8797, 9053.

a license issued under section 205 (f) of the Emergency Price Control Act of 1942, or has violated any of the provisions of any regulation, order, or requirement under section 2 or section 202 (b) of said Act, or any of the provisions of any price schedule effective in accordance with the provisions of section 206 of said Act, which is applicable to such person.

(ii) Any warning notice sent by any Regional Administrator pursuant to the authority conferred by this General Order No. 27 shall have the same force and effect as if sent by the Price Administrator.

(b) This General Order No. 27 shall be effective as of July 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12524; Filed, November 26, 1942;
1:14 p. m.]

[General Order 29]

AUTHORITY TO PROCURE SWORN WRITTEN STATEMENTS

DELEGATION TO INSPECTORS

This General Order No. 29 formerly appeared as Title 32, National Defense, Chapter XI, Office of Price Administration, Part 1305, Administration, General Order No. 4,¹ § 1305.101.

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942 and by Executive Order No. 9125, the following order is prescribed:

(a) *Order delegating to inspectors authority to procure sworn written statements.* (1) In the administration or enforcement of the price control, rent control, or rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to such authority, any person employed as an inspector or investigator by, or performing inspection or investigative functions for, the Office of Price Administration is authorized to administer oaths and affirmations for the purpose of procuring or receiving from any person a sworn written statement concerning any matter under, or appropriate for, investigation.

(b) This General Order No. 29 shall be effective as of July 24, 1942.

(Pub. Law 421, 77th Cong.; Pub. Law 507, 77th Cong.; E.O. 9125)

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12525; Filed, November 26, 1942;
1:15 p. m.]

[General Order 30]

AUTHORITY TO ADMINISTER OATHS

DELEGATION TO CLERICAL EMPLOYEES OF RATIONING BOARDS AND DISTRIBUTION OFFICERS OF OFFICE OF PRICE ADMINISTRATION

This General Order No. 30 formerly appeared as Title 32, National Defense,

¹ 7 F.R. 5706.

Chapter XI, Office of Price Administration, Part 1305, Administration, Revised General Order No. 5,¹ § 1305.102.

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942, as amended, by paragraph 3 of Executive Order No. 9125, by Executive Order 9250, and by WPB Directive 1, § 1305.102 of Revised General Order No. 5, heretofore issued October 15, 1942, is amended to read as follows: (a) *Order delegating to clerical employees of War Price and Rationing Boards and to Distribution officers of the Office of Price Administration authority to administer oaths and affirmations.* (1) In the administration of the price control or rationing authority of the Office of Price Administration, or of any regulation or order issued pursuant to such authority, any clerical employee employed by a War Price and Rationing Board, who is designated by the chairman of such board as an officer to administer oaths and affirmations, or any person employed as Distribution Officer by the Office of Price Administration is authorized to administer oaths and affirmations in connection with any application, petition, statement, report, or other document, required to be sworn to by the provisions of any regulation or order pertaining to price control or rationing and required or authorized to be filed at a War Price and Rationing Board or at any office of the Office of Price Administration.

(b) This General Order No. 30 shall be effective as of October 15, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12526; Filed, November 26, 1942;
1:15 p. m.]

[General Order 38]

RENUMBERING CERTAIN ADMINISTRATIVE AND GENERAL ORDERS AND RENAMING CERTAIN ADMINISTRATIVE ORDERS

The Office of Price Administration has issued a series of orders entitled Administrative Orders Nos. A and B, a series of orders entitled Administrative Orders numbering 1 through 30 which are in substance delegation orders, and a series of orders entitled General Orders Numbers 1 through 5 which are in substance delegation orders. Most of these orders have been published in the FEDERAL REGISTER. Another series of orders relating to internal administrative matters which have not been published in the FEDERAL REGISTER and which are captioned Administrative Orders, have also been issued by the Office of Price Administration.

In order to avoid confusion and to establish a uniform caption for the various types of orders issued by the Office of Price Administration, the Administrator has determined that the caption "Administrative Orders" shall be reserved for orders relating to internal organization of the Office of Price Administration and that the caption "General Order" shall be applied to the other orders above mentioned.

¹ 7 F.R. 8383.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9125, Executive Order No. 9250, War Production Board Directive No. 1, as supplemented, War Production Board Directive No. 1-E, War Production Board Directive No. 1-J, War Production Board Directive No. 1-K, and War Production Board Directive No. 1-L, it is hereby ordered that said Administrative Orders A and B, Administrative Orders 1 through 30, and General Orders numbers 1 through 5 be, and are hereby, renumbered and renamed as follows:

GENERAL ORDERS

New No.	Old caption and Nos.	F.R. page ¹
1	Adm. Order No. A.....	6 F.R. 1965.
2	Adm. Order No. B.....	7 F.R. 1201.
3	Adm. Order No. 1.....	7 F.R. 4852, 7910.
4	Adm. Order No. 2.....	7 F.R. 4191.
5	Adm. Order No. 3.....	
6	Adm. Order No. 4.....	
7	Adm. Order No. 5.....	
8	Adm. Order No. 6.....	7 F.R. 4621.
9	Adm. Order No. 7.....	
10	Adm. Order No. 8.....	7 F.R. 4746.
11	Adm. Order No. 9.....	
12	Adm. Order No. 10.....	
13	Adm. Order No. 11.....	
14	Adm. Order No. 12.....	
15	Adm. Order No. 13.....	
16	Adm. Order No. 14.....	
17	Adm. Order No. 15.....	7 F.R. 9498.
18	Adm. Order No. 16.....	7 F.R. 5096.
19	Adm. Order No. 17.....	
20	Adm. Order No. 18.....	7 F.R. 6911, 8672.
21	Adm. Order No. 19.....	7 F.R. 6911.
22	Adm. Order No. 20.....	7 F.R. 5203.
23	Adm. Order No. 21.....	
24	Gen. Order No. 1.....	7 F.R. 5273.
25	Gen. Order No. 2.....	7 F.R. 5361.
26	Adm. Order No. 22.....	7 F.R. 5377, 9498.
27	Gen. Order No. 3.....	7 F.R. 5480, 8797, 9053.
28	Adm. Order No. 23.....	7 F.R. 5498.
29	Gen. Order No. 4.....	7 F.R. 5706.
30	Gen. Order No. 5.....	7 F.R. 5988.
31	Adm. Order No. 24.....	7 F.R. 6838.
32	Adm. Order No. 25.....	7 F.R. 6984, 8241, 8717, 9498, 9854.
33	Adm. Order No. 26.....	7 F.R. 7267.
34	Adm. Order No. 28.....	7 F.R. 7326, 8672.
35	Adm. Order No. 29.....	7 F.R. 7764.
36	Adm. Order No. 27.....	7 F.R. 8407.
37	Adm. Order No. 30.....	7 F.R. 9368.

¹ Some orders, because of their limited scope have not been published, but have been filed in the Office of the Secretary.

² Revoked, 7 F.R. 9498.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued and effective this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12523; Filed, November 26, 1942;
12:13 p. m.]

[Order 8 Under RFS 53]

THE BEST FOODS, INC.

ORDER ESTABLISHING MAXIMUM PRICES

Order No. 8 Under Revised Price Schedule No. 53—Fats and Oils.

On October 19, 1942, The Best Foods Inc., 88 Lexington Avenue, New York City, filed pursuant to § 1351.151 (b) (7) of Revised Price Schedule No. 53 an application for the determination of its maximum price on a fats and oils commodity which it proposes to manufacture. This commodity, which will be made from approximately 50% cottonseed oil and 50% palm oil, will be refined, deodorized and hydrogenated, with a melting point of approximately 106 degrees F.

Due consideration has been given to the application, and an opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order 9250, and in accordance with § 1351.151 (b) (7) of Revised Price Schedule No. 53, issued by the Office of Price Administration, it is hereby ordered:

(a) The maximum price of The Best Foods Inc., 88 Lexington Avenue, New York City, on the fats and oils commodity defined in paragraph (b) of this Order shall be 14.575¢ per pound delivered, tank cars, New York.

(b) The term "fats and oils commodity," as used in this Order, means a refined, deodorized and hydrogenated commodity, made from approximately 50% cotton seed oil and 50% palm oil, with a melting point of approximately 106 degrees F.

(c) The maximum price hereinbefore fixed shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 8 shall become effective November 27, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12527; Filed, November 26, 1942;
1:12 p. m.]

[Order 1 Under MPR 135]

WILSON AND TOOMER FERTILIZER COMPANY
ORDER GRANTING PERMISSION FOR
ADJUSTABLE PRICES

Order No. 1 Under Maximum Price Regulation No. 135—Mixed Fertilizer, Superphosphate and Potash—Docket No. 1135-2-P.

For reasons set forth in an opinion issued simultaneously herewith, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, it is ordered:

(a) On and after the 27th day of November, 1942, sales of mixed fertilizers and superphosphate manufactured by Wilson and Toomer Fertilizer Company of Jacksonville, Florida, may be made at the applicable maximum prices thereof respectively, subject to agreements with the purchasers of such mixed fertilizers and superphosphate, respectively, to adjust the prices thereof in accordance with the final disposition of the protest filed by said Company on September 28, 1942 in the Office of Price Administration.

(b) This Order No. 1 may be revoked or amended by the Price Administrator at any time, and in any event, is to be effective only to the date upon which

the protest is finally determined by the Price Administrator.

(c) This Order No. 1 shall become effective November 27, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12502; Filed, November 26, 1942;
1:12 p. m.]

[Order 17 Under MPR 169]

OSHER BROTHERS COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 17 Under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-20.

On July 24, 1942 Osher Brothers Company, 3310 West Sixty-fifth Street, Cleveland, Ohio, filed a petition for adjustment pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended. Due consideration has been given to the petition and an Opinion in support of this Order No. 17 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration: It is hereby ordered:

(a) Osher Brothers Company may sell and deliver and agree, offer, solicit, and attempt to sell and deliver carcass beef AA or choice grade, at a price not in excess of 22¢ per pound and any person may buy and receive from the Osher Brothers Company such carcass beef at a price not in excess of 22¢ per pound.

(b) Osher Brothers Company shall mail or cause to be mailed to all persons who purchase carcass beef AA or choice grade from it for resale a notice reading as follows:

The Office of Price Administration by Order No. 17 effective November 27, 1942, pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended, has permitted us to raise our maximum prices for sales to you of carcass beef AA or choice grade from 20¢ per pound to 22¢ per pound.

This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that resale prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum price for the sale of carcass beef AA or choice grade. In order that we may continue to provide you with carcass beef AA or choice grade it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 17 may be revoked or amended by the Price Administrator at any time. Unless the context otherwise requires, the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169, as amended, shall apply to the terms used herein.

(e) This Order No. 17 shall become effective November 27, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12503; Filed, November 26, 1942;
1:12 p. m.]

[Order 16 Under MPR 169]

KINGS PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 16 Under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-11.

On July 20, 1942, Kings Packing Company, Box 970, Nampa, Idaho, filed a petition for adjustment pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended. Due consideration has been given to the petition, and an Opinion in support of this Order No. 16 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with revised Procedural Regulation No. 1 issued by the Office of Price Administration it is hereby ordered:

(a) Kings Packing Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver steer, heifer and cow carcasses of the grades herein-after set forth and any person may buy and receive from the Kings Packing Company such steer, heifer and cow carcasses at prices not in excess of those established as follows:

	Cents per pound
Steer and heifer carcasses, A or good grade.....	20¾
Steer and heifer carcasses, B or commercial grade.....	20
Steer and heifer carcasses, C or utility grade.....	18½
Heifer and cow carcasses, cutter and canner grade.....	16
Cow carcasses, B or commercial grade.....	17½
Cow carcasses, C or utility grade.....	16½

(b) Kings Packing Company shall mail or cause to be mailed to all persons who purchase such steer, heifer or cow carcasses or wholesale cuts derived therefrom for resale a notice reading as follows:

The Office of Price Administration by Order No. 16 effective November 27, 1942, pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended, has permitted us to raise our maximum selling prices for sales to you of steer, heifer and cow carcasses as follows:

Steer carcasses, A or good grade, from 20½¢ per lb. to 20¾¢ per lb.
Heifer carcasses, A or good grade, from 19½¢ per lb. to 20¾¢ per lb.
Heifer carcasses, B or commercial grade, from 19¢ per lb. to 20¢ per lb.
Steer carcasses, C or utility grade, from 18¢ per lb. to 18½¢ per lb.
Cow carcasses, cutter & canner grade, from 15¢ per lb. to 16¢ per lb.
Cow carcasses, B or commercial grade, from 17¢ per lb. to 17½¢ per lb.
Cow carcasses, C or utility grade, from 16¢ per lb. to 16½¢ per lb.

This amount represents only that part of cost increases which we were unable to

absorb and it was granted with the understanding that resale prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sale of steer, heifer or cow carcasses or wholesale cuts derived therefrom. In order that we may continue to provide you with beef products it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 16 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169, as amended, shall apply to terms used herein.

(f) This Order No. 16 shall become effective November 27, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12504; Filed, November 26, 1942;
1:12 p. m.]

[Order 9 Under MPR 204]

METALS RESERVE COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 9 Under Maximum Price Regulation No. 204—Idle or Frozen Materials Sold Under Priorities Regulation No. 13.

An opinion in support of this Order No. 9 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and § 1499.506 of Maximum Price Regulation No. 204 and in accordance with Revised Procedural Regulation No. 1, it is hereby ordered, That:

(a) Maximum prices for stainless steel products sold or delivered to Metals Reserve Company, Steel Recovery Corporation or any agent thereof. (1) The maximum price for any stainless steel product sold or delivered to Metals Reserve Company, Steel Recovery Corporation or any agent thereof, pursuant to the program for the acquisition thereof announced by the War Production Board on November 4, 1942 (Recovery Program NRB-13) shall be the price set forth in the "Government's Price Schedule for Purchase of Idle and Excessive Inventories of Stainless Steel Products" attached to the aforesaid program.

(b) As used in this Order No. 9:

(1) "Stainless steel" means any steel (other than those steels which are classified in the trade as tool steels) composed of a corrosion-resistant or heat-resistant alloy containing 50% or more of iron and 4% or more of chromium

regardless of what other alloying elements it contains.

(2) "Stainless steel products" shall include all stainless steel products other than (i) obsolete, damaged, used or imperfect stainless steel products and (ii) trimmings, borings, clippings, rod ends and all other remnants of stainless steel materials.

(c) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 9 shall become effective as of November 4, 1942.

Issued this 26th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-12501; Filed, November 26, 1942;
1:07 p. m.]

[Suspension Order 162, Amendment 1]

TREASURE ISLAND SERVICE STATION

ORDER UPON RECONSIDERATION

On November 19, 1942, Raymond DeAngelo and Hillaire E. Mark, doing business as Treasure Island Service Station, Fair and Olive Streets, New Haven, Connecticut, filed a petition for reconsideration of Suspension Order No. 162 issued against the petitioners on November 14, 1942. The matter has been duly considered by the Deputy Administrator in Charge of Rationing.

Paragraph (e) is amended to read as set forth below:

(e) This Suspension Order No. 162 shall become effective 12:01 A. M. November 18, 1942, and shall expire 12:01 A. M. November 28, 1942.

(f) Except as amended by paragraph (e) above, this Suspension Order No. 162 is affirmed.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Dir. No. 1 (7 F.R. 562); Supplementary Dir. No. 1H (7 F.R. 3478, 3877, 5216))

Issued and effective this 26th day of November 1942.

PAUL M. O'LEARY,
Deputy Administrator
in Charge of Rationing.

[F. R. Doc. 42-12516; Filed, November 26, 1942;
1:19 p. m.]

WAR SHIPPING ADMINISTRATION.

WAR FORWARDING CORPORATION, ET AL.

AUTHORIZING CERTAIN FORWARDING SERVICES

Whereas a directive with respect to forwarding and transportation of waterborne commerce of the United States has been issued on November 3, 1942 (7 F.R. 8967); and

Whereas pursuant to the aforementioned directive, Operations Regulation No. 23 has been issued on November 25, 1942; and

Whereas the aforementioned Operations Regulation No. 23 calls for the performance of certain forwarding services by the several corporations listed below;

The corporations listed below are authorized to perform forwarding services as follows:

(1) War Forwarding Corporation, 25 Broadway, New York, New York, is authorized to perform the services prescribed in instructions 2 and 10 of Operations Regulation No. 23;

(2) Commercial Dispatching Corporation, 5 Broadway, New York, New York, is authorized to perform the services prescribed in instructions 3 and 10 of Operations Regulation No. 23;

(3) Premier Forwarding Corporation, 115 Broad Street, New York, New York, is authorized to perform the services prescribed in instructions 4 and 10 of Operations Regulation No. 23;

(4) The following corporations are authorized to perform the services prescribed in instruction 13 of Operations Regulation No. 23:

Mobile Freight Brokers and Forwarders, 62½ St. Francis Street, Mobile, Alabama.

San Francisco Foreign Freight Forwarders, Inc., 311 California Street, San Francisco, California.

Southern California Foreign Freight Forwarders Corporation, 408 South Spring Street, Los Angeles, California.

Strachan Shipping Co., Barnett National Bank, Jacksonville, Florida.

Strachan Shipping Co., Savannah Bank & Trust Building, Savannah, Georgia.

New Orleans Foreign Forwarders, Inc., 404 Whitney Building, New Orleans, Louisiana.

Portland Foreign Freight Forwarders, Inc., 193 Middle Street, Portland, Maine.

Boston Foreign Freight Forwarders, Inc., 110 State Street, Boston, Massachusetts.

Baltimore Forwarding Corporation, National Marine Bank Building, Baltimore, Maryland.

Commercial Dispatching Corporation, 5 Broadway, New York, New York.

Premier Forwarding Corporation, 115 Broad Street, New York, New York.

War Forwarding Corporation, 25 Broadway, New York, New York.

Oregon Foreign Forwarders, Inc., Board of Trade Building, Portland, Oregon.

Foreign Freight Forwarders Philadelphia, Inc., 712 Lafayette Building, 501 Chestnut Street, Philadelphia, Pennsylvania.

Carolina Shipping Co., Charleston, South Carolina.

West Gulf Foreign Freight Forwarders, Inc., Cotton Exchange Building, Houston, Texas.

West Gulf Foreign Freight Forwarders, Inc., Room 707, U. S. National Bank Building, Galveston, Texas.

Hampton Roads Foreign Forwarders, Inc., 200 East Main Street, Norfolk, Virginia.

Seattle Foreign Freight Forwarders Corporation, 427 Colman Building, Seattle, Washington.

E. S. LAND,
Administrator.

NOVEMBER 25, 1942.

[F. R. Doc. 42-12499; Filed, November 26, 1942;
12:18 p. m.]

Shade